



State of Utah

SPENCER J. COX
Governor

DEIDRE HENDERSON
Lieutenant Governor

Department of Environmental Quality

Kimberly D. Shelley
Executive Director

DIVISION OF AIR QUALITY
Bryce C. Bird
Director

Air Quality Board
Randal S. Martin, *Chair*
John Rasband, *Vice-Chair*
Michelle Bujdoso
Kevin R. Cromar
Cassady Kristensen
Erin Mendenhall
Kimberly D. Shelley
Gregory Todd
Bryce C. Bird,
Executive Secretary

DAQ-086-22

UTAH AIR QUALITY BOARD MEETING FINAL AGENDA

Wednesday, December 7, 2022 - 1:30 p.m.
195 North 1950 West, Room 1015
Salt Lake City, Utah 84116

Board members may be participating electronically. Interested persons can participate telephonically by dialing 1-208-715-5937 using access code: 787-002-399#, or via the Internet at meeting link: meet.google.com/cug-asup-afz

- I. Call-to-Order
- II. Date of the Next Air Quality Board Meeting: February 1, 2023
- III. Approval of the Minutes for the November 2, 2022, Board Meeting.
- IV. Five-Year Reviews:
 - R307-102. General Requirements: Broadly Applicable Requirements.
 - R307-107. General Requirements: Breakdowns.
 - R307-115. General Conformity.
 - R307-123. General Requirements: Clean Fuels and Vehicle Technology Grant and Loan Program.
 - R307-170. Continuous Emission Monitoring Program.
 - R307-208. Outdoor Wood Boilers.
 - R307-303. Commercial Cooking.
 - R307-312. Aggregate Processing Operations for PM2.5 Nonattainment Areas
 - R307-505. Oil and Gas Industry: Registration Requirements.Presented by Bo Wood.
- V. Propose for Public Comment: New Rules R307-315. NOx Emission Controls for Natural Gas-fired Boilers 2.0-5.0 MMTtu; and R307-316. NOx Emission Controls for Natural Gas-fired Boilers greater than 5.0 MMBtu. Presented by Ryan Bares.
- VI. Informational Items.
 - A. Air Toxics. Presented by Leonard Wright.
 - B. Compliance. Presented by Harold Burge and Rik Ombach.

- C. Monitoring. Presented by Bart Cubrich.
- D. Other Items to be Brought Before the Board.
- E. Board Meeting Follow-up Items.

In compliance with the Americans with Disabilities Act, individuals with special needs (including auxiliary communicative aids and services) should contact Larene Wyss, Office of Human Resources at (801) 503-5618, TDD (801) 536-4284 or by email at lwyss@utah.gov.

ITEM 4



State of Utah

SPENCER J. COX
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Department of
Environmental Quality

Kimberly D. Shelley
Executive Director

DIVISION OF AIR QUALITY
Bryce C. Bird
Director

DAQ-083-22

MEMORANDUM

TO: Air Quality Board

THROUGH: Bryce C. Bird, Executive Secretary

FROM: Bo Wood, Rules Coordinator

DATE: November 22, 2022

SUBJECT: Five-Year Reviews: R307-102, R307-107, R307-115, R307-123, R307-170, R307-208, R307-303, R307-312, and R307-505.

Utah Code Title 63G-3-305 requires each agency to review and justify each of its rules within five years of a rule's original effective date or within five years of the filing of the last five-year review. This review process is not a time to revise or amend the rules, but only to verify that the rule is still necessary and allowed under state and federal statutes. As part of this process, we are required to identify any comments received since the last five-year review of each rule. This process is not the time to revisit those comments or to respond to them.

DAQ has completed a five-year review for the following rules:

- R307-102. General Requirements: Broadly Applicable Requirements.
- R307-107. General Requirements: Breakdowns.
- R307-115. General Conformity.
- R307-123. General Requirements: Clean Fuels and Vehicle Technology Grant and Loan Program.
- R307-170. Continuous Emission Monitoring Program.
- R307-208. Outdoor Wood Boilers.
- R307-303. Commercial Cooking.
- R307-312. Aggregate Processing Operations for PM_{2.5} Nonattainment Areas
- R307-505. Oil and Gas Industry: Registration Requirements

The results of these reviews are found in the attached Five-Year Notice of Review and Statement of Continuation forms.

Recommendation: Staff recommends that the Board continue these rules by approving the attached forms to be filed with the Division of Administrative Rules.

State of Utah
Administrative Rule Analysis
 Revised June 2022

FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION

Title No. - Rule No.

Rule Number:	R307-102	Filing ID: Office Use Only
Effective Date:	Office Use Only	

Agency Information

1. Department:	Environmental Quality	
Agency:	Air Quality	
Room number:		
Building:	MASOB	
Street address:	195 N. 1950 W.	
City, state and zip:	Salt Lake City, Utah 84116	
Mailing address:	P.O. Box 144820	
City, state and zip:	Salt Lake City, Utah 84114-4820	
Contact persons:		
Name:	Phone:	Email:
Bo Wood	385-499-3416	rwood@utah.gov

Please address questions regarding information on this notice to the agency.

General Information

2. Rule catchline:
R307-102. Broadly Applicable Requirements
3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:
This rule was enacted under Subsection 19-2-104(1)(a). Subsection 19-2-104(1)(a) authorizes the Air Quality Board to promulgate rules "regarding the control, abatement, and prevention of air pollution from all sources and the establishment of the maximum quantity of air pollutants that may be emitted by an air pollutant source." Subsection 19-2-104(1)(c) sets forth the kinds of information that sources of air pollution must provide as addressed in R307-102-1. R307-102-4 is authorized by Subsection 19-2-113, and sets forth conditions under which the Air Quality Board may authorize variances from Title R307. The federal Clean Air Act, 42 U.S.C. 7401, requires that sources of air pollution not reduce the pay of any employee under certain circumstances, as addressed in R307-102-5.
4. A summary of written comments received during and since the last five-year review of this rule from interested persons supporting or opposing this rule:
There were no comments in opposition to or support of this rule since the last five-year review.
5. A reasoned justification for continuation of this rule, including reasons why the agency disagrees with comments in opposition to this rule, if any:
R307-102 is needed to specify the conditions for issuing variances, for confidentiality of information submitted, and to require that information be made available to the Air Quality Board. Moreover, R307-102 is a component of Utah's State Implementation Plan (SIP), and cannot be removed from the SIP without EPA approval. Therefore, this rule should be continued.

Agency Authorization Information

To the agency: Information requested on this form is required by Section 63G-3-305. Incomplete forms will be returned to the agency for completion, possibly delaying publication in the *Utah State Bulletin*.

Agency head or designee and title:	Bryce C. Bird, Director	Date:	12/07/2022
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Reminder: Text changes cannot be made with this type of rule filing. To change any text, please file an amendment or a nonsubstantive change.

1 **R307. Environmental Quality, Air Quality.**

2 **R307-102. General Requirements: Broadly Applicable Requirements.**

3 **R307-102-1. Air Pollution Prohibited; Periodic Reports Required.**

4 (1) Emission of air pollutants in sufficient quantities to cause air pollution as defined in R307-101-2
5 is prohibited. The State statute provides for penalties up to \$50,000/day for violation of State statutes,
6 regulations, rules or standards (See Section 19-2-115 for further details).

7 (2) Periodic Reports and Availability of Information. The owner or operator of any stationary air
8 pollutant source in Utah shall furnish to the director the periodic reports required under Section 19-2-104(1)(c)
9 and any other information as the director may deem necessary to determine whether the source is in
10 compliance with Utah and Federal regulations and standards. The information thus obtained will be
11 correlated with applicable emission standards or limitations and will be available to the public during normal
12 business hours at the Division of Air Quality.

13
14 **R307-102-2. Confidentiality of Information.**

15 Any person submitting information pursuant to these regulations may request that such information
16 be treated as a trade secret or on a confidential basis, in which case the director shall so treat such information.
17 If no claim is made at the time of submission, the director may make the information available to the public
18 without further notice. Information required to be disclosed to the public under State or Federal law may not
19 be requested to be kept confidential. Justification supporting claims of confidentiality shall be provided at
20 the time of submission on the information. Each page claimed "confidential" shall be marked "confidential
21 business information" by the applicant and the confidential information on each page shall be clearly
22 specified. Claims of confidentiality for the name and address of applicants for an approval order will be
23 denied. Confidential information or any other information or report received by the director shall be available
24 to EPA upon request and the person who submitted the information shall be notified simultaneously of its
25 release to EPA.

26
27 **R307-102-3. Reserved.**

28 Reserved.

29
30 **R307-102-4. Variances Authorized.**

31 (1) Variance from these regulations may be granted by the Board as provided by law (See Section
32 19-2-113) unless prohibited by the Clean Air Act:

33 (a) to permit operation of an air pollution source for the time period involved in installing or
34 constructing air pollution control equipment in accordance with a compliance schedule negotiated by the
35 director and approved by the Board.

36 (b) to permit operation of an air pollution source where there is no practicable means known or
37 available for adequate prevention, abatement or control of the air pollutants involved. Such a variance shall
38 be only until the necessary means for prevention, abatement or control becomes known and available, subject
39 to the use of substitute or alternate measures the Board may prescribe.

40 (c) to permit operation of an air pollution source where the control measures, because of their extent
41 or cost, must be spread over a considerable period of time.

42 (2) Variance requests, as set forth in Section 19-2-113, may be submitted by the owner or operator
43 who is in control of any plant, building, structure, establishment, process or equipment.

44
45 **R307-102-5. No Reduction in Pay.**

46 In accordance with paragraph 110(a)(6), Clean Air Act as amended August 1977, owners or operators
47 may not temporarily reduce the pay of any employee by reason of the use of a supplemental or intermittent
48 or other dispersion dependent control system for the purposes of meeting any air pollution requirement

1 adopted pursuant to the Clean Air Act as amended August 1977.

2

3 **R307-102-6. Emissions Standards.**

4 Other provisions of R307 may require more stringent controls than listed herein, in which case those
5 requirements must be met.

6

7 **KEY: air pollution, confidentiality of information, variances**

8 **Date of Last Change: December 15, 2015**

9 **Notice of Continuation: March 8, 2018**

10 **Authorizing, and Implemented or Interpreted Law: 19-2-104; 19-2-113**

State of Utah
Administrative Rule Analysis
 Revised June 2022

FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION

Title No. - Rule No.

Rule Number:	R307-107	Filing ID: Office Use Only
Effective Date:	Office Use Only	

Agency Information

1. Department:	Environmental Quality	
Agency:	Air Quality	
Room number:		
Building:	MASOB	
Street address:	195 N. 1950 W.	
City, state and zip:	Salt Lake City, Utah 84116	
Mailing address:	P.O. Box 144820	
City, state and zip:	Salt Lake City, Utah 84114-4820	
Contact persons:		
Name:	Phone:	Email:
Bo Wood	385-499-3416	rwood@utah.gov

Please address questions regarding information on this notice to the agency.

General Information

2. Rule catchline:
R307-107. General Requirements: Breakdowns
3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:
Subsection 19-2-104(1)(a) allows the Air Quality Board to make rules "...regarding the control, abatement, and prevention of air pollution from all sources...", and Subsection 19-2-104(1)(c)(iii) allows the Board to write rules that require persons engaged in operation that result in air pollution to provide access to records relating to emissions that cause or contribute to air pollution. R307-107 reduces the incidence of breakdowns that contribute to air pollution, and reduce the emissions that occur during breakdowns.
4. A summary of written comments received during and since the last five-year review of this rule from interested persons supporting or opposing this rule:
There were no comments in opposition to or support of this rule since the last five-year review.
5. A reasoned justification for continuation of this rule, including reasons why the agency disagrees with comments in opposition to this rule, if any:
Typically, startups and shutdowns in industrial operations produce more emissions than are emitted during normal operations. Breakdowns in processing equipment can also cause excess emissions. The rule is needed to ensure that excess emissions are promptly reported so that the Division of Air Quality can act to protect public health and require the operator to do everything possible to reduce excess emissions. In addition, this rule is part of Utah's State Implementation Plan, and cannot be deleted without EPA approval.

Agency Authorization Information

To the agency: Information requested on this form is required by Section 63G-3-305. Incomplete forms will be returned to the agency for completion, possibly delaying publication in the *Utah State Bulletin*.

Agency head or designee and title:	Bryce C. Bird, Director	Date:	12/07/2022
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Reminder: Text changes cannot be made with this type of rule filing. To change any text, please file an amendment or a nonsubstantive change.

1 **R307. Environmental Quality, Air Quality.**

2 **R307-107. General Requirements: Breakdowns.**

3 **R307-107-1. Applicability and Timing.**

4 (1) The owner or operator of a source shall report breakdowns to the director within 24 hours of the
5 incident via telephone, electronic mail, fax, or other similar method.

6 (2) A detailed written description of the circumstance of the incident as described in R307-107-2,
7 including a corrective program directed at preventing future such incidents, shall be submitted within 14 days
8 of the onset of the incident.

9 (3) For those breakdowns involving only emissions that are monitored in accordance with R307-170,
10 the reporting requirements of R307-170 shall satisfy the reporting deadlines of R307-107-1(1) and (2). In all
11 other respects, the requirements in R307-107-1(2) and R307-107-2 shall be considered to apply in addition
12 to the requirements of R307-170.

13
14 **R307-107-2. Reporting.**

15 (1) The breakdown incident report shall include the cause and nature of the event, estimated quantity
16 of emissions (total and excess), time of emissions and any relevant evidence, including, but not limited to,
17 evidence that:

18 (a) There was an equipment malfunction beyond the reasonable control of the owner or operator;

19 (b) The excess emissions could not have been avoided by better operation, maintenance or improved
20 design of the malfunctioning component;

21 (c) To the maximum extent practicable, the source maintained and operated the air pollution control
22 equipment and process equipment in a manner consistent with good practice for minimizing emissions,
23 including minimizing any bypass emissions;

24 (d) Any necessary repairs were made as quickly as practicable, using off-shift labor and overtime as
25 needed and as possible;

26 (e) All practicable steps were taken to minimize the potential impact of the excess emissions on
27 ambient air quality; and

28 (f) The excess emissions are not part of a recurring pattern that may have been caused by inadequate
29 operation or maintenance, or inadequate design of the malfunctioning component.

30 (2) The burden of proof is on the owner or operator of the source to provide sufficient information to
31 demonstrate the elements listed in R307-107-2(1).

32
33 **R307-107-3. Enforcement Discretion.**

34 The director will evaluate, on a case-by-case basis, the information submitted in R307-107-1 and 2 to
35 determine whether to pursue enforcement action.

36
37 **KEY: air pollution, unavoidable breakdown, excess emissions**

38 **Date of Last Change: July 31, 2012**

39 **Notice of Continuation: March 8, 2018**

40 **Authorizing, and Implemented or Interpreted Law: 19-2-104**

State of Utah
Administrative Rule Analysis
 Revised June 2022

FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION

Title No. - Rule No.

Rule Number:	R307-115	Filing ID: Office Use Only
Effective Date:	Office Use Only	

Agency Information

1. Department:	Environmental Quality	
Agency:	Air Quality	
Room number:		
Building:	MASOB	
Street address:	195 N. 1950 W.	
City, state and zip:	Salt Lake City, Utah 84116	
Mailing address:	P.O. Box 144820	
City, state and zip:	Salt Lake City, Utah 84114-4820	
Contact persons:		
Name:	Phone:	Email:
Bo Wood	385-499-3416	rwood@utah.gov

Please address questions regarding information on this notice to the agency.

General Information

2. Rule catchline:
R307-115. General Conformity
3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:
As specified in Subsection 19-2-104(3)(q), the Air Quality Board may "meet the requirements of federal air pollution laws." One of those laws is 40 CFR Part 93, Subpart B, which is incorporated by reference by R307-115. 40 CFR Part 93 Subpart B requires that no agency of the federal government support in any way any activity, with some exceptions, that does not conform to any state's implementation plan to protect air quality. 40 CFR 93.150 states that the provisions of 40 CFR Part 93 Subpart B "...establish the conformity criteria and procedures necessary to meet the (Clean Air) Act requirements until such time as the required conformity revision (by the State) is approved by the Environmental Protection Agency (EPA). A state's conformity provisions must contain criteria and procedures that are no less stringent than the requirements established in this subpart." Utah chose to meet this requirement by incorporating by reference the federal provisions.
4. A summary of written comments received during and since the last five-year review of this rule from interested persons supporting or opposing this rule:
There were no comments in opposition to or support of this rule since the last five-year review.
5. A reasoned justification for continuation of this rule, including reasons why the agency disagrees with comments in opposition to this rule, if any:
R307-115 is required by 40 CFR Part 93, Subpart B. In addition, R307-115 is a component of Utah's State Implementation Plan (SIP), and cannot be removed from the SIP without EPA approval.

Agency Authorization Information

To the agency: Information requested on this form is required by Section 63G-3-305. Incomplete forms will be returned to the agency for completion, possibly delaying publication in the *Utah State Bulletin*.

Agency head or designee and title:	Bryce C. Bird, Director	Date:	12/07/2022
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Reminder: Text changes cannot be made with this type of rule filing. To change any text, please file an amendment or a nonsubstantive change.

1 **R307. Environmental Quality, Air Quality.**

2 **R307-115. General Conformity.**

3 **R307-115-1. Determining Conformity.**

4 The provisions of 40 CFR Part 93, Subpart B, Determining Conformity of General Federal Actions
5 to State or Federal Implementation Plans, effective as of the date referenced in R307-101-3, are hereby
6 incorporated by reference into these rules.

7

8 **KEY: environmental protection, air pollution, general conformity**

9 **Date of Last Change: February 8, 2008**

10 **Notice of Continuation: March 8, 2018**

11 **Authorizing, and Implemented or Interpreted Law: 19-2-104**

State of Utah
Administrative Rule Analysis
 Revised June 2022

FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION

Title No. - Rule No.

Rule Number:	R307-123	Filing ID: Office Use Only
Effective Date:	Office Use Only	

Agency Information

1. Department:	Environmental Quality	
Agency:	Air Quality	
Room number:		
Building:	MASOB	
Street address:	195 N. 1950 W.	
City, state and zip:	Salt Lake City, Utah 84116	
Mailing address:	P.O. Box 144820	
City, state and zip:	Salt Lake City, Utah 84114-4820	
Contact persons:		
Name:	Phone:	Email:
Bo Wood	385-499-3416	rwood@utah.gov

Please address questions regarding information on this notice to the agency.

General Information

2. Rule catchline:
R307-123. General Requirements: Clean Fuels and Vehicle Technology Grant and Loan Program
3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:
The Clean Fuels and Vehicle Technology Program Act is authorized in Sections 19-401 through 19-1-405. Section 19-1-403 creates the Clean Fuels and Vehicle Technology Fund and Section 19-1-405 authorizes the Air Quality Board to make rules to establish state-wide eligibility requirements for technologies qualified to be awarded grant and loan monies from the Fund.
4. A summary of written comments received during and since the last five-year review of this rule from interested persons supporting or opposing this rule:
No comments have been received in support or opposition to this rule since the last 5-year review.
5. A reasoned justification for continuation of this rule, including reasons why the agency disagrees with comments in opposition to this rule, if any:
The Air Quality Board created Rule R307-123 to specify the requirements of the program as outlined in Sections 19-1-401 through 19-1-405. The rule defines certification criteria and proof of purchase requirements for eligible technology. Rule 307-123 allows the DAQ to administer this program. Therefore, this rule should be continued.

Agency Authorization Information

To the agency: Information requested on this form is required by Section 63G-3-305. Incomplete forms will be returned to the agency for completion, possibly delaying publication in the *Utah State Bulletin*.

Agency head or designee and title:	Bryce C. Bird, Director	Date:	12/07/2022
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Reminder: Text changes cannot be made with this type of rule filing. To change any text, please file an amendment or a nonsubstantive change.

1 **R307. Environmental Quality, Air Quality.**

2 **R307-123. General Requirements: Clean Fuels and Vehicle Technology Grant and Loan Program.**

3 **R307-123-1. Authorization and Purpose.**

4 (1) This rule is authorized by Section 19-1-405, which establishes criteria and definitions used to
5 determine eligibility for use of the Clean Fuels and Vehicle Technology Fund created in Section 19-1-403.

6 (2) R307-123 establishes procedures to provide proof of purchase to the Board for an OEM vehicle,
7 or the conversion or retrofit of a vehicle for which a grant or loan made with the monies available in the Fund
8 is allowed under Subsection 19-1-403(2)(a).

9 (3) Eligible technologies are required to meet the criteria and follow the procedures established in
10 R305-4.

11
12 **R307-123-2. Definitions.**

13 Definitions. The following additional definitions apply to R307-123.

14 "Certified by the director" means that:

15 (1) A motor vehicle on which conversion equipment has been installed meets the criteria in
16 Subsection 19-1-405(1)(a) and demonstrates a reduction in emissions as defined in Subsection 19-1-405(2);
17 or

18 (2) A motor vehicle on which a retrofit has been installed meets the following criteria:

19 (a) the motor vehicle's emissions of regulated pollutants, when operating with the retrofit equipment,
20 is less than the emissions were before the installation of the retrofit equipment; and

21 (b) a reduction in emissions under Subsection R307-123-2(2)(a) is demonstrated by:

22 (i) certification of the retrofit by the federal EPA or by a state whose certification standards are
23 recognized by the Board; or

24 (ii) any other test or standard recognized by the Board.

25 "Clean fuel" means clean fuel as defined in Subsection 19-1-402(1).

26 "Clean fuel vehicle" means clean fuel vehicle as defined in Subsection 19-1-402(2).

27 "Conversion equipment" means a package which may include fuel, ignition, emissions control, and
28 engine components that are modified, removed, or added to a motor vehicle or special mobile equipment to
29 make that vehicle or equipment eligible.

30 "Manufacturer's Statement of Origin" means a certificate showing the original transfer of a new motor
31 vehicle from the manufacturer to the original purchaser.

32 "Original equipment manufacturer (OEM) vehicle" means OEM vehicle as defined in Subsection 19-
33 1-402(8).

34 "Retrofit" means retrofit as defined in Subsection 19-1-402(11).

35 "Retrofit equipment" means a diesel oxidation catalyst, a diesel particulate filter, or a closed crankcase
36 filtration system, that has been approved for use in engine retrofit programs by the federal EPA or by a state
37 whose testing protocols are recognized by the Board.

38
39 **R307-123-3. Demonstration of Eligibility for OEM Vehicles.**

40 To demonstrate that a vehicle is eligible, proof of purchase shall be made by submitting the following
41 documentation to the director:

42 (1)(a) A copy of the Manufacturer's Statement of Origin or equivalent manufacturer's documentation
43 showing that the vehicle is an OEM vehicle; or

44 (b) a signed statement by an Automotive Service Excellence (ASE) certified technician that includes
45 the vehicle identification number (VIN) and states that the vehicle is an OEM vehicle;

46 (2) An original or copy of the purchase order, customer invoice, or receipt including the VIN; and

47 (3) A copy of the current Utah vehicle registration.
48

1 **R307-123-4. Demonstration of Eligibility for Vehicles Converted to Natural Gas or Propane.**

2 To demonstrate that a conversion of a motor vehicle fueled by natural gas or propane is eligible, proof
3 of purchase shall be made by submitting the following documentation to the director:

4 (1) the VIN;

5 (2) the fuel type before conversion;

6 (3) the fuel type after conversion;

7 (4)(a) a copy of the vehicle inspection report from an approved county inspection and maintenance
8 station showing that the converted motor vehicle meets all county emissions requirements for all installed
9 fuel systems if the motor vehicle is registered within a county with an inspection and maintenance (I/M)
10 program; or

11 (b) in all other areas of the state, a signed statement by an ASE certified technician that includes the
12 VIN and states that the conversion is functional;

13 (5) each of the following:

14 (a) the conversion equipment manufacturer,

15 (b) the conversion equipment model number,

16 (c) the date of the conversion, and

17 (d) the name, address, and phone number of the person that converted the vehicle;

18 (6) the EPA Certificate of Conformity, or equivalent documentation that is consistent with
19 requirements outlined in 40 CFR Part 85 and 40 CFR Part 86, as published in Federal Register Volume 76
20 Page 19830 on April 8, 2011, or an executive order from the California Air Resources Board;

21 (7) an original or copy of the purchase order, customer invoice, or receipt; and

22 (8) a copy of the current Utah vehicle registration, which shows that the vehicle is registered in the
23 applicant's name.

24
25 **R307-123-5. Demonstration of Eligibility for Vehicles Converted to Electricity.**

26 To demonstrate that a conversion of a motor vehicle to be powered by electricity is eligible, proof of
27 purchase shall be made by submitting the following documentation to the director:

28 (1) the VIN;

29 (2) the fuel type before conversion;

30 (3) the fuel type after conversion;

31 (4) each of the following:

32 (a) the conversion equipment manufacturer;

33 (b) the conversion equipment model number;

34 (c) the date of the conversion; and

35 (d) the name, address, and phone number of the person that converted the motor vehicle;

36 (5) an original or copy of the purchase order, customer invoice, or receipt;

37 (6) a copy of the current Utah vehicle registration; and

38 (7) a signed statement by an ASE-certified technician that includes the VIN, the technician's ASE
39 certification number, and states that the conversion is functional and that the converted motor vehicle does
40 not have any auxiliary source of combustion emissions.

41
42 **R307-123-6. Demonstration of Eligibility for Retrofitted Vehicles.**

43 To demonstrate that a retrofit of a motor vehicle is eligible, proof of purchase shall be made by
44 submitting the following documentation to the director:

45 (1) the VIN;

46 (2) each of the following:

47 (a) the retrofit type;

48 (b) the retrofit equipment manufacturer;

- 1 (c) the retrofit equipment model number;
- 2 (d) the date of the retrofit; and
- 3 (e) the name, address, and phone number of the person that retrofitted the vehicle;
- 4 (3) proof that the retrofit is certified by the director;
- 5 (4) proof that the vehicle condition prior to retrofit is compliant with the retrofit's certification criteria;
- 6 (5) an original or copy of the purchase order, customer invoice, or receipt; and
- 7 (6) a copy of the current Utah vehicle registration.

8
9 **R307-123-7. Applicability.**

10 Provisions found in sections R307-121-5(6) and R307-121-6(3)(c) shall apply to all conversions as
11 of April 8, 2011.

12
13 **KEY: air pollution, alternative fuels, grants and loans, motor vehicles**

14 **Date of Last Change: December 5, 2013**

15 **Notice of Continuation: March 8, 2018**

16 **Authorizing, and Implemented or Interpreted Law: 19-2-104; 19-1-401; 59-7-605; 59-10-1009**

State of Utah
Administrative Rule Analysis
 Revised June 2022

FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION

Title No. - Rule No.

Rule Number:	R307-170	Filing ID: Office Use Only
Effective Date:	Office Use Only	

Agency Information

1. Department:	Environmental Quality	
Agency:	Air Quality	
Room number:		
Building:	MASOB	
Street address:	195 N. 1950 W.	
City, state and zip:	Salt Lake City, Utah 84116	
Mailing address:	P.O. Box 144820	
City, state and zip:	Salt Lake City, Utah 84114-4820	
Contact persons:		
Name:	Phone:	Email:
Bo Wood	385-499-3416	rwood@utah.gov

Please address questions regarding information on this notice to the agency.

General Information

2. Rule catchline:
R307-170. Continuous Emission Monitoring Program
3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:
Subsection 19-2-104(1)(c) authorizes the Air Quality Board to make rules "...requiring persons engaged in operations which result in air pollution to: (i) install, maintain, and use emission monitoring devices, as the board finds necessary; (ii) file periodic reports containing information relating to the rate, period of emission, and composition of the air contaminant; and (iii) provide access to records relating to emissions which cause or contribute to air pollution." Also, Subsection 19-2-104(3)(q) allows the Board to "...meet the requirements of federal air pollution laws." Federal provisions that require certain sources to conduct continuous monitoring include federal Clean Air Act Title IV, the Acid Rain program. In addition, 40 CFR Part 51, Appendix P, states that "This appendix P sets forth the minimum requirements for continuous emission monitoring and recording that each State Implementation Plan must include in order to be approved under the provisions of 40 CFR 51.165(b)." R307-170 meets these provisions by specifying how certain sources of air pollution must comply with federal and state requirements to install and operate equipment that continuously monitors certain pollutants. It is approved by EPA as a part of Utah's State Implementation Plan.
4. A summary of written comments received during and since the last five-year review of this rule from interested persons supporting or opposing this rule:
There were no comments in opposition to or support of this rule since the last five-year review.
5. A reasoned justification for continuation of this rule, including reasons why the agency disagrees with comments in opposition to this rule, if any:
R307-170 ensures that large sources of air pollution do not exceed emission limits for air pollutants that are harmful to human health. In addition, R307-170 is a component of Utah's State Implementation Plan (SIP), and cannot be removed from the SIP without EPA approval.

Agency Authorization Information

To the agency: Information requested on this form is required by Section 63G-3-305. Incomplete forms will be returned to the agency for completion, possibly delaying publication in the <i>Utah State Bulletin</i> .			
Agency head or designee and title:	Bryce C. Bird, Director	Date:	12/07/2022

Reminder: Text changes cannot be made with this type of rule filing. To change any text, please file an amendment or a nonsubstantive change.

1 **R307. Environmental Quality, Air Quality.**

2 **R307-170. Continuous Emission Monitoring Program.**

3 **R307-170-1. Purpose.**

4 The purpose of this rule is to establish consistent requirements for all sources required to install a
5 continuous monitoring system (CMS) and for sources who opt into the continuous emissions monitoring
6 program.

7
8 **R307-170-2. Authority.**

9 Authority to require continuous emission monitoring devices is found in 19-2-104(1)(c), and
10 authorization for a penalty for rendering inaccurate any monitoring device or method is found in 19-2-115(4).
11 Authority to enforce 40 CFR Part 60 is obtained by its incorporation by reference under R307-210.

12
13 **R307-170-3. Applicability.**

14 Except as noted in (1) and (2) below, any source required to install a continuous monitoring system
15 to determine emissions to the atmosphere or to measure control equipment efficiency is subject to R307-170.

16 (1) Any source subject to 40 CFR Part 60 as incorporated by R307-210, Standards of Performance
17 for New Sources, is not subject to R307-170-6, Minimum Monitoring Requirements for Specific Sources.

18 (2) Any source required by an approval order issued under R307-401 to operate a continuous
19 monitoring system to satisfy the requirements of R307-150, Periodic Reports of Emissions and Availability
20 of Information, is not subject to R307-170-9(7), Excess Emission Report.

21
22 **R307-170-4. Definitions.**

23 The following additional definitions apply to R307-170.

24 "Accuracy" means the difference between a continuous monitoring system response and the results
25 of an applicable EPA reference method obtained over the same sampling time.

26 "Averaging Period" means that period of time over which a pollutant or opacity is averaged to
27 demonstrate compliance to an emission limitation or standard.

28 "Block Averages" means the total time expressed in fractions of hours over which emission data is
29 collected and averaged.

30 "Calibration Drift" (zero drift and span drift) means the value obtained by subtracting the known
31 standard or reference value from the raw response of the continuous monitoring system.

32 "Channel" means the pollutant, diluent, or opacity to be monitored.

33 "CMS Information" means the identifying information for each continuous monitoring system a
34 source is required to install.

35 "Computer Enhancement" means computerized correction of a monitor's zero drift and span drift to
36 reflect actual emission concentrations and opacity.

37 "Continuous Emission Monitoring System" (CEMS) means all equipment required to determine
38 gaseous emission rates and to record the resulting data.

39 "Continuous Monitoring System" (CMS) means all equipment required to determine gaseous
40 emission rates or opacity and to record the data.

41 "Continuous Opacity Monitoring System" means all equipment required to determine opacity and
42 data recording.

43 "Cylinder Gas Audit" means an alternative relative accuracy test of a continuous emission monitoring
44 system to determine its precision using gases certified by or traceable to National Institute of Standards and
45 Technology (NIST) in the ranges specified in 40 CFR 60, Appendix F.

46 "Description Report" means a short but accurate description of events that caused continuous
47 monitoring system irregularities or excess emissions that occurred during the reporting period submitted in
48 the state electronic data report.

1 "Excess Emission Report" means a report within the state electronic data report that documents the
2 date, time, and magnitude of each excess emission episode occurring during the reporting period.

3 "Excess Emissions" means the amount by which recorded emissions exceed those allowed by
4 approval orders, operating permits, the state implementation plan, or any other provision of R307.

5 "Monitor" means the equipment in a continuous monitoring system that analyzes concentration or
6 opacity and generates an electronic signal that is sent to a recording device.

7 "Monitor Availability" means any period in which both the source of emissions and the continuous
8 monitoring system are operating and the minimum frequency of data capture occurred as required in 40 CFR
9 60.13.

10 "Monitor Unavailability" means any period in which the source of emissions is operating and the
11 continuous monitoring system is:

- 12 a. not operating or minimum data capture did not occur,
13 b. not generating data, not recording data, or data is lost, or
14 c. out-of-control in the case of a continuous emissions monitor used for continuous compliance
15 purposes.

16 "New Source Performance Standards" (NSPS) means 40 CFR 60, Standards of Performance for New
17 Stationary Sources, incorporated by reference at R307-210.

18 "Operations Report" means the report of all information required under 40 CFR 60 for utilities and
19 fossil fuel fired boilers.

20 "Performance Specification" means the operational tolerances for a continuous monitoring system as
21 outlined in 40 CFR 60, Appendix B.

22 "Precision" means the difference between a continuous monitoring system response and the known
23 concentration of a calibration gas or neutral density filter.

24 "Quality Assurance Calibrations" means calibrations, drift adjustments, and preventive maintenance
25 activities on a continuous monitoring system.

26 "Raw Continuous Monitoring System Response" means a continuous monitoring system's
27 uncorrected response used to determine calibration drift.

28 "Relative Accuracy Audit" means an alternative relative accuracy test procedure outlined in 40 CFR
29 60, Appendix F, which is used to correlate continuous emission monitoring system data to simultaneously
30 collected reference method test data, as outlined in 40 CFR Part 60, Appendix A, using no fewer than three
31 reference method test runs.

32 "Relative Accuracy Test Audit" means the primary method of determining the correlation of
33 continuous emissions monitoring system data to simultaneously collected reference method test data, using
34 no fewer than nine reference method test runs conducted as outlined in 40 CFR 60, Appendix A.

35 "State Electronic Data Report" (SEDR) means the sum total of a source's monitoring activities that
36 occurred during a reporting period.

37 "Summary Report" means the summary of all monitor and excess emission information that occurred
38 during a reporting period.

- 39 "Tamper" means knowingly:
40 a. to make a false statement, representation, or certification in any application, report, record, plan,
41 or other document filed or required to be maintained under R307-170, or
42 b. to render inaccurate any continuous monitoring system or device or any method required to
43 maintain the accuracy of the continuous monitoring system or device.

44 "Valid Monitoring Data" means data collected by an accurately functioning continuous monitoring
45 system while any installation monitored by the continuous monitoring system is in operation.

46
47 **R307-170-5. General Requirements.**

- 48 (1) Each source required to operate a continuous monitoring system is subject to the requirements of

1 40 CFR 60.13 (d) through (j), except as follows:

2 (a) When minimum emission data points are collected by the continuous monitoring system as
3 required in 40 CFR 60.13 or applicable subparts, quality assurance calibration and maintenance activities
4 shall not count against monitor availability.

5 (b) A monitor's unavailability due to calibration checks, zero and span checks, or adjustments
6 required in 40 CFR 60.13 or R307-170 will not be considered a violation of R307-170.

7 (c) Monitor unavailability due to continuous monitoring system breakdowns will not be considered
8 a monitor unavailability violation provided that the owner or operator demonstrates that the malfunction was
9 unavoidable and was repaired expeditiously.

10 (d) To supplement continuous monitor data, a source with minimum continuous monitoring system
11 data collection requirements may conduct applicable reference method tests outlined in 40 CFR 60, Appendix
12 A, or as directed in the source's applicable Subpart of the New Source Performance Standards.

13 (2) Each source shall monitor and record all emissions data during all phases of source operations,
14 including start-ups, shutdowns, and process malfunctions.

15 (3) Each source operating a continuous emissions monitoring system for compliance determination
16 shall document each out-of-control period in the state electronic data report.

17 (4) Each continuous monitoring system subject to R307-170 shall be installed, operated, maintained,
18 and calibrated in accordance with applicable performance specifications found in 40 CFR 60 Appendix B
19 and Appendix F.

20 (5) Each continuous emissions monitoring system shall be configured so that calibration gas can be
21 introduced at or as near to the probe inlet as possible. Each source shall conduct daily calibration zero drift
22 and span drift checks and cylinder gas audits by flowing calibration gases at the probe inlet, or as near to the
23 probe inlet as possible. Daily calibration drift checks and quarterly cylinder gas audit data shall be recorded
24 by the continuous emissions monitoring system electronically to a strip chart recorder, data logger, or data
25 recording devices.

26 (6) No person shall tamper with a continuous monitoring system.

27 (7) Any source that constructs two or more emission point sources that may interfere with visible
28 emissions observations shall install a continuous opacity monitor to show compliance with visible emission
29 limitations on each obstructed stack, duct or vent that has a visible emission limitation.

30
31 **R307-170-6. Minimum Monitoring Requirements for Specific Sources.**

32 (1) Fossil Fuel Fired Steam Generators.

33 (a) A continuous monitoring system for the measurement of opacity shall be installed, calibrated,
34 maintained, and operated on any fossil fuel fired steam generator of greater than 250 million BTU per hour
35 for each boiler except where:

36 (i) natural gas or oil or a mixture of natural gas and oil is the only fuel burned,

37 (ii) the source is able to comply with the applicable particulate matter and opacity regulations without
38 using particulate matter collection equipment, and

39 (iii) the source has never been found through any administrative or judicial proceeding to be in
40 violation of any visible emission standard or requirements.

41 (b) A continuous monitoring system for the measurement of sulfur dioxide shall be installed,
42 calibrated, maintained, and operated on any fossil fuel fired steam generator of greater than 250 million BTU
43 per hour heat input which has installed sulfur dioxide pollution control equipment.

44 (c) A continuous monitoring system for the measurement of nitrogen oxides shall be installed,
45 calibrated, maintained, and operated on fossil fuel fired steam generators of greater than 1000 million BTU
46 per hour heat input when such facility is located in an Air Quality Control Region where the director has
47 specifically determined that a control strategy for nitrogen dioxide is necessary to attain the national standards,
48 unless the source owner or operator demonstrates during source compliance tests as required by the director

1 that such a source emits nitrogen oxides at levels 30 percent or more below the emission standard.

2 (d) A continuous monitoring system for the measurement of percent oxygen or carbon dioxide shall
3 be installed, calibrated, maintained, and operated on any fossil fuel fired steam generators where
4 measurements of oxygen or carbon dioxide in the flue gas are required to convert either sulfur dioxide or
5 nitrogen oxides continuous emission monitoring data, or both, to units of the emission standard.

6 (2) Nitric Acid Plants.

7 Each nitric acid plant of greater than 300 tons per day production capacity, the production capacity
8 being expressed as 100 percent acid, and located in an Air Quality Control Region where the director has
9 specifically determined that a control strategy for nitrogen dioxide is necessary to attain the national standard,
10 shall install, calibrate, maintain, and operate a continuous monitoring system for the measurement of nitrogen
11 oxides for each nitric acid producing installation.

12 (3) Sulfuric Acid Plants - Burning and Production.

13 Each sulfuric acid plant of greater than 300 tons per day production capacity, the production being
14 expressed as 100 percent acid, shall install, calibrate, maintain and operate a continuous monitoring system
15 for the measurement of sulfur dioxide for each sulfuric acid producing installation within such plant.

16 (4) Petroleum Refineries - Fluid Bed Catalytic Cracking Unit Catalyst Regenerator.

17 Each catalyst regenerator for fluid bed catalytic cracking units of greater than 20,000 barrels per day
18 fresh feed capacity shall install, calibrate, maintain and operate a continuous monitoring system for the
19 measurement of opacity.

20
21 **R307-170-7. Performance Specification Audits.**

22 (1) Quarterly Audits.

23 Unless otherwise stipulated for sources subject to the Acid Rain Provisions of the Clean Air Act in
24 40 CFR Part 75 CEM, Appendix A, Section 6.2, effective as of the date referenced in R307-101-3, each
25 continuous emissions monitoring system shall be audited at least once each calendar quarter. Successive
26 quarterly audits shall be conducted at least two months apart. A relative accuracy test audit shall be conducted
27 at least once every four calendar quarters as described in the applicable performance specification of 40 CFR
28 60, Appendix B.

29 (a) Relative accuracy shall be determined in units of the applicable emission limit.

30 (b) An alternative relative accuracy test (cylinder gas audit or relative accuracy audit) may be
31 conducted in three of the four calendar quarters in place of conducting a relative accuracy test audit, but in no
32 more than three quarters in succession.

33 (c) Each range of a dual range monitor shall be audited using an alternative relative accuracy audit
34 procedure.

35 (d) Minor deviations from the reference method test must be submitted to the director for approval.

36 (e) Performance specification tests and audits shall be conducted so that the entire continuous
37 monitoring system is concurrently tested.

38 (2) Notification.

39 The source shall notify the director of its intention to conduct a relative accuracy test audit by
40 submitting a pretest protocol or by scheduling a pretest conference if directed to do so by the director. Each
41 source shall notify the director no less than 45 days prior to testing.

42 (3) Audit Procedure.

43 A source may stop a relative accuracy test audit before the commencement of the fourth run to
44 perform repairs or adjustments on the continuous emissions monitoring system. If the audit is stopped to
45 make repairs or adjustments, the audit must be started again from the beginning. If the fourth test run is
46 started, testing shall be conducted until the completion of the ninth acceptable test run or the source may
47 declare the monitor out-of-control and stop the test. If the system does not meet its applicable relative
48 accuracy performance specification outlined in 40 CFR 60, Appendix B, its data may not be used in

1 determining emissions rates until the system is successfully recertified.

2 (4) Performance Specification Tests.

3 (a) Except as listed in (b) below, all reference method testing equipment shall be totally independent
4 of the continuous emissions monitoring system equipment undergoing a performance specification test.

5 (b) Reference method tests conducted on fuel gas lines, vapor recovery units, or other equipment as
6 approved by the director may use a common probe, when the reference method sample line ties into the
7 continuous emission monitor's probe or sample line as close to the probe inlet as possible.

8 (5) Submittal of Audit Results.

9 The source shall submit all relative accuracy performance specification test reports to the director no
10 later than 60 days after completion of the test.

11 (a) Test reports shall include all raw reference method calibration data, raw reference method
12 emission data with date and time stamps, and raw source continuous monitoring data with date and time
13 stamps. All data shall be reported in concentration and units of the applicable emission limit.

14 (b) Relative accuracy performance specification test or audit reports shall include the company name,
15 plant manager's name, mailing address, phone number, environmental contact's name, the monitor
16 manufacturer, the model and serial number, the monitor range, and its location.

17 (6) Daily Drift Test.

18 Each source operating a continuous monitoring system shall conduct a daily zero and span calibration
19 drift test as required in 40 CFR 60.13(d). The zero and span drifts shall be determined by using raw
20 continuous monitoring system responses to a known value of the reference standard. Computer
21 enhancements may be used to correct continuous monitoring system emission data that has been altered by
22 monitor drift, but may not be used to determine daily zero and span drift.

23 (a) A monitor used for compliance that fails the daily calibration drift test as outlined in 40 CFR 60
24 Appendix F, Subpart 4, shall be declared out-of-control, and the out-of-control period shall be documented
25 in the state electronic data report. The source shall make corrective adjustments to the system promptly.
26 Continuous emission monitoring system data collected during the out-of-control period may not be used for
27 monitor availability.

28 (b) Each source operating a continuous monitoring system that exceeds the calibration drift limit as
29 outlined in 40 CFR 60 and the applicable performance specification shall make corrective adjustments
30 promptly.

31
32 **R307-170-8. Recordkeeping.**

33 Each source subject to this rule shall maintain a file of all:

34 (1) parameters for each continuous monitoring system and monitoring device,

35 (2) performance test measurements,

36 (3) continuous monitoring system performance evaluations,

37 (4) continuous monitoring system or monitoring device calibration checks,

38 (5) adjustments and maintenance conducted on these systems or devices, and

39 (6) all other information required by this rule. Information shall be recorded in a permanent form
40 suitable for inspection. The file shall be retained for at least two years following the date of such
41 measurements, maintenance, reports, and records, and shall be available to the director at any time.

42
43 **R307-170-9. State Electronic Data Report.**

44 (1) General Reporting Requirements.

45 (a) Each source required to install a continuous monitoring system shall submit the state electronic
46 data report including all information specified in (2) through (10) below. Each source shall submit a complete,
47 unmodified report in an electronic ASCII format specified by the director.

48 (b) Partial Reports.

1 (i) If the total duration of excess emissions during the reporting period is less than one percent of the
2 total operating time and the continuous monitoring system downtime is less than five percent of the total
3 operating time, only the summary portion of the state electronic data report need be submitted.

4 (ii) If the total excess emission during the reporting period is equal to or greater than one percent of
5 the total operating time, or the total monitored downtime is equal to or greater than five percent of the total
6 operating time, the total state electronic data report shall be submitted.

7 (iii) Each source required to install a continuous monitoring system for the sole purpose of generating
8 emissions inventory data is not required to submit the excess emission report required by (7) below or the
9 excess emission summary required by (6)(b) below, unless otherwise directed by the director.

10 (c) Frequency of Reporting. Each source subject to this rule shall submit a report to the director with
11 the following frequency:

12 (i) Each source shall submit a report quarterly, if required by the director or by 40 CFR Part 60, or if
13 the continuous monitoring system data is used for compliance determination. Each source submitting
14 quarterly reports shall submit them by January 30, April 30, July 30, and October 30 for the quarter ending
15 30 days earlier.

16 (ii) Any source subject to this rule and not required to submit a quarterly report shall submit its report
17 semiannually by January 30 and July 30 for the six month period ending 30 days earlier.

18 (iii) The director may require any source to submit all emission data generated on a quarterly basis.

19 (2) Source Information.

20 The report shall contain source information including the company name, name of manager or
21 responsible official, mailing address, AIRS number, phone number, environmental contact name, each source
22 required to install a monitoring system, quarter or quarters covered by the report, year, and the operating time
23 for each source.

24 (3) Continuous Monitoring System Information.

25 The report shall identify each channel, manufacturer, model number, serial number, monitor span,
26 installation dates, and whether the monitor is located in the stack or duct.

27 (4) Monitor Availability Reporting.

28 (a) The report shall include all periods that the pollutant concentration exceeded the span of the
29 continuous monitoring system by source, channel, start date and time, and end date and time.

30 (b) Each continuous monitoring system outage or malfunction which occurs during source operation
31 shall be reported by source, channel, start date and time, and end date and time.

32 (c) When it becomes necessary to supplement continuous monitoring data to meet the minimum data
33 requirements, the source shall use applicable reference methods and procedures as outlined in 40 CFR 60, or
34 as stipulated in the source's applicable Subpart of the New Source Performance Standards. Supplemental
35 data shall be reported by source, channel, start date and time, and end date and time, and may be used to offset
36 monitor unavailability.

37 (d) Monitor modifications shall be reported by source, channel, date of modification, whether a
38 support document was submitted, and the reason for the modification.

39 (5) Continuous Monitoring System Performance Specification Audits.

40 (a) Each source shall submit the results of each relative accuracy test audit, relative accuracy audit
41 and cylinder gas audit. Each source that reports linearity tests may omit reporting cylinder gas audits.

42 (b) Each relative accuracy test audit shall be reported by source, channel, date of the most current
43 relative accuracy test audit, date of the preceding relative accuracy test audit, number of months between
44 relative accuracy test audits, units of applicable standard, average continuous emissions monitor response
45 during testing, average reference method value, relative accuracy, and whether the continuous emissions
46 monitor passed or failed the test or audit.

47 (c) A relative accuracy audit shall be reported by source, channel, date of audit, continuous emissions
48 monitor response, relative accuracy audit response, percent precision, pass or fail results, and whether the

1 monitor range is high or low.

2 (d) Cylinder gas audit and linearity tests shall be reported by source, channel, date, audit point
3 number, cylinder identification, cylinder expiration date, type of certification, units of measurement,
4 continuous emissions monitor response, cylinder concentration, percent precision, pass or fail results, and
5 whether the monitor range is high or low.

6 (6) Summary reports.

7 (a) Each source shall summarize and report each continuous monitoring system outage that occurred
8 during the reporting period in the continuous monitoring system performance summary report. The summary
9 must include the source, channels, monitor downtime as a percent of the total source operating hours, total
10 monitor downtime, hours of monitor malfunction, hours of non-monitor malfunction, hours of quality
11 assurance calibrations, and hours of other known and unknown causes of monitor downtime. A source
12 operating a backup continuous monitoring system must account for monitor unavailability only when
13 accurate emission data are not being collected by either continuous monitoring system.

14 (b) The summary report shall contain a summary of excess emissions that occurred during the
15 reporting period unless the continuous monitoring system was installed to document compliance with an
16 emission cap or to generate data for annual emissions inventories.

17 (i) Each source with multiple emission limitations per channel being monitored shall summarize
18 excess emissions for each emission limitation.

19 (ii) The emission summary must include the source, channels, total hours of excess emissions as a
20 percent of the total source operating hours, hours of start-up and shutdown, hours of control equipments
21 problems, hours of process problems, hours of other known and unknown causes, emission limitation, units
22 of measurement, and emission limitation averaging period.

23 (c) When no continuous monitoring unavailability or excess emissions have occurred, this shall be
24 documented by placing a zero under each appropriate heading.

25 (7) Excess Emissions Report.

26 (a) The magnitude and duration of all excess emissions shall be reported on an hourly basis in the
27 excess emissions report.

28 (i) The duration of excess emissions based on block averages shall be reported in terms of hours over
29 which the emissions were averaged. Each source that averages opacity shall average it over a six-minute
30 block and shall report the duration of excess opacity in tenths of an hour. Sources using a rolling average
31 shall report the duration of excess emissions in terms of the number of hours being rolled into the averaging
32 period.

33 (ii) Sources with multiple emission limitations per channel being monitored shall report the
34 magnitude of excess emissions for each emission limitation.

35 (b) Each period of excess emissions that occurs shall be reported. Each episode of excess emission
36 shall be accompanied with a reason code and action code that links the excess emission to a specific
37 description, which describes the events of the episode.

38 (8) Operations Report.

39 Each source operating fossil fuel fired steam generators subject to 40 CFR 60, Standards of
40 Performance for New Stationary Sources, shall submit an operations report.

41 (9) Signed Statement.

42 (a) Each source shall submit a signed statement acknowledging under penalties of law that all
43 information contained in the report is truthful and accurate, and is a complete record of all monitoring related
44 events that occurred during the reporting period. In addition, each source with an operating permit issued
45 under R307-415 shall submit the signed statement required in R307-415-5d.

46 (10) Descriptions.

47 Each source shall submit a narrative description explaining each event of monitor unavailability or
48 excess emissions. Each description also shall be accompanied with reason codes and action codes that will

1 link descriptions to events reported in the monitoring information and excess emission report.

2
3 **KEY: air pollution, monitoring, continuous monitoring**
4 **Date of Last Change: February 8, 2008**
5 **Notice of Continuation: March 8, 2018**
6 **Authorizing, and Implemented or Interpreted Law: 19-2-101; 19-2-104(1)(c); 19-2-115(3)(b); 40 CFR**
7 **60**

State of Utah
Administrative Rule Analysis
 Revised June 2022

FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION

Title No. - Rule No.

Rule Number:	R307-208	Filing ID: Office Use Only
Effective Date:	Office Use Only	

Agency Information

1. Department:	Environmental Quality	
Agency:	Air Quality	
Room number:		
Building:	MASOB	
Street address:	195 N. 1950 W.	
City, state and zip:	Salt Lake City, Utah 84116	
Mailing address:	P.O. Box 144820	
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Contact persons:		
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Bo Wood	385-499-3416	rwood@utah.gov

Please address questions regarding information on this notice to the agency.

General Information

2. Rule catchline:
R307-208. Outdoor Wood Boilers
3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:
This rule was enacted under Subsection 19-2-104(1)(a). Subsection 19-2-104(1)(a) authorizes the Air Quality Board to promulgate rules "regarding the control, abatement, and prevention of air pollution from all sources and the establishment of the maximum quantity of air pollutants that may be emitted by an air pollutant source." Rule R307-208 reduces PM _{2.5} emissions emitted from outdoor wood boilers by banning sales of outdoor wood boilers in PM nonattainment and maintenance areas and restricting sales of outdoor wood boilers in attainment areas to EPA Phase 2 qualified units or wood pellet boilers with automatic feed.
4. A summary of written comments received during and since the last five-year review of this rule from interested persons supporting or opposing this rule:
There have been no comments in opposition to or support of this rule since adoption.
5. A reasoned justification for continuation of this rule, including reasons why the agency disagrees with comments in opposition to this rule, if any:
R307-208 is needed to prohibit sales of outdoor wood boilers in PM nonattainment and maintenance areas, helping the state attain the PM _{2.5} National Ambient Air Quality Standards. The rule is also needed to minimize the emission of PM _{2.5} from existing outdoor wood boilers. R307-208 is a component of Utah's State Implementation Plan (SIP), and cannot be removed from the SIP without EPA approval. Therefore, this rule should be continued.

Agency Authorization Information

To the agency: Information requested on this form is required by Section 63G-3-305. Incomplete forms will be returned to the agency for completion, possibly delaying publication in the *Utah State Bulletin*.

Agency head or designee and title:	Bryce C. Bird, Director	Date:	12/07/2022
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Reminder: Text changes cannot be made with this type of rule filing. To change any text, please file an amendment or a nonsubstantive change.

1 **R307. Environmental Quality, Air Quality.**

2 **R307-208. Outdoor Wood Boilers.**

3 **R307-208-1. Definitions.**

4 The following additional definitions apply to R307-208:

5 "Clean wood" means wood that has not been painted, stained, or treated with any coatings, glues or
6 preservatives, including, but not limited to, chromated copper arsenate, creosote, alkaline copper quaternary,
7 copper azole or pentachlorophenol.

8 "Commercial new outdoor wood boiler" means a new outdoor wood boiler with a thermal output
9 rating greater than 350,000 BTU per hour.

10 "Outdoor wood boiler" means a fuel burning device also known as a wood-fired hydronic heater:

11 (1) Designed to burn wood or other approved solid fuels;

12 (2) Specified by the manufacturer for outdoor installation or installation in structures not normally
13 occupied by humans; and

14 (3) Designated to heat building space or water via the distribution, typically through pipes, of a fluid
15 heated in the device, typically water or a mixture of water and antifreeze.

16 "New outdoor wood boiler" means an outdoor wood boiler that commences operation on or after
17 March 1, 2013.

18 "Sole source of heat" means the solid fuel burning device is the only available source of heat for the
19 entire residence or business, except for small portable heaters.

20 "Residential new outdoor wood boiler" means a new outdoor wood boiler that has a thermal output
21 rating of 250,000 BTU per hour or less.

22 "Unseasoned wood" means wood that has not been allowed to dry for at least six months.

23 "Wood pellet outdoor boiler" means an outdoor wood boiler with an automatic pellet feed mechanism.
24

25 **R307-208-2. Prohibition.**

26 (1) Prohibited fuels. No person shall burn any of the following items in an outdoor wood boiler:

27 (a) Wood that does not meet the definition of clean wood;

28 (b) Unseasoned wood;

29 (c) Garbage;

30 (d) Tires;

31 (e) Yard waste, including lawn clippings;

32 (f) Materials containing plastic;

33 (g) Materials containing rubber;

34 (h) Waste petroleum products;

35 (i) Paints or paint thinners;

36 (j) Household or laboratory chemicals;

37 (k) Coal;

38 (l) Glossy or colored paper;

39 (m) Construction and demolition debris;

40 (n) Plywood;

41 (o) Particleboard;

42 (p) Fiberboard;

43 (q) Oriented strand board;

44 (r) Manure;

45 (s) Animal carcasses;

46 (t) Asphalt products;

47 (2) No person shall operate an outdoor wood boiler within 1000 feet of a private or public school,
48 hospital or day care facility.

1 (3) Setback. A new residential outdoor wood boiler shall not be located less than 100 feet from the
2 nearest property boundary line. A new commercial outdoor wood boiler shall not be located less than 200
3 feet from the nearest property boundary nor 300 feet from a property boundary of a residentially zoned
4 property.

5 (4) Stack height. A new outdoor wood boiler shall have a permanent stack extending five feet higher
6 than the peak of any roof structure within 150 feet of the outdoor wood boiler.

7 (5) In areas other than those described in R307-208-5(1), no person shall sell, offer for sale, supply,
8 install, purchase, or transfer an outdoor wood boiler after May 1, 2013, unless it is EPA Phase 2 qualified
9 wood boiler or EPA Phase 2 qualified wood pellet outdoor boiler.

10
11 **R307-208-3. Visible Emission Standard.**

12 (1) Visible emissions for all outdoor wood boilers shall be limited to a shade or density no darker
13 than 20% opacity as measured by EPA Method 9, except for the following:

14 (a) An initial fifteen minute start-up period; and

15 (b) A period of fifteen minutes in any three-hour period in which emissions may exceed the 20%
16 opacity limitation for refueling.

17
18 **R307-208-4. New Boiler Labeling.**

19 (1) A permanent label shall be affixed to all new outdoor wood boilers by the manufacturer.

20 (a) The label material shall be durable to last the lifetime of the new unit.

21 (b) The label shall be affixed so that it cannot be removed.

22 (c) The label shall be affixed so that it is readily visible.

23 (d) The following information shall be displayed on the label:

24 (i) Date of manufacture;

25 (ii) Model name or number;

26 (iii) Serial number;

27 (iv) Thermal output rating in BTU per hour; and

28 (v) Particulate emission rate in pounds per million BTU heat output.

29
30 **R307-208-5. Particulate Matter Nonattainment and Maintenance Plan Areas.**

31 (1) R307-208-5 applies in all regions of Salt Lake and Davis counties; all portions of the Cache
32 Valley; all regions in Weber and Utah counties west of the Wasatch mountain range; in Box Elder County,
33 from the Wasatch mountain range west to the Promontory mountain range and south of Portage; and in Tooele
34 County, from the northernmost part of the Oquirrh mountain range to the northern most part of the Stansbury
35 mountain range and north of Route 199.

36 (2) No person shall sell, install or resell an outdoor wood boiler commencing May 1, 2013, with the
37 exception of persons who register an outdoor wood boiler under R307-208-5(3).

38 (3) Owners of an existing outdoor wood boiler wishing to replace it after May 1, 2013, shall:

39 (a) Register the existing outdoor wood boiler with the director by May 1, 2013;

40 (b) Replace the existing outdoor wood boiler with an EPA Phase 2 qualified wood pellet outdoor
41 wood boiler; and

42 (c) Comply with the provisions of R307-208-2 and 3.

43 (4) Persons unable to meet setback requirements in R307-208-2(3) because of existing land use
44 limitations must request a waiver from the director before installing an outdoor wood boiler. Such waiver
45 must include written approval from surrounding neighbors within the setback areas described in R307-208-
46 2(3).

47
48 **R307-208-6. Air Quality Action and Alert Days.**

1 (1) By August 1, 2013, sole sources of residential or commercial heating using an outdoor wood
2 boiler must be registered with the director in order to be exempt from R307-208-6(2).

3 (2) No person shall operate an outdoor wood boiler on an air quality action or alert day as described
4 in R307-302, except those that are registered with the director as sole source of heat.

5

6 **KEY: air pollution, outdoor wood boilers, prohibition**

7 **Date of Last Change: April 10, 2013**

8 **Notice of Continuation: March 8, 2018**

9 **Authorizing, and Implemented or Interpreted Law: 19-2-101; 19-2-104**

State of Utah
Administrative Rule Analysis
 Revised June 2022

FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION

Title No. - Rule No.

Rule Number:	R307-303	Filing ID: Office Use Only
Effective Date:	Office Use Only	

Agency Information

1. Department:	Environmental Quality	
Agency:	Air Quality	
Room number:		
Building:	MASOB	
Street address:	195 N. 1950 W.	
City, state and zip:	Salt Lake City, Utah 84116	
Mailing address:	P.O. Box 144820	
City, state and zip:	Salt Lake City, Utah 84114-4820	
Contact persons:		
Name:	Phone:	Email:
Bo Wood	385-499-3416	rwood@utah.gov

Please address questions regarding information on this notice to the agency.

General Information

2. Rule catchline:
R307-303. Commercial Cooking
3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:
This rule was enacted under Subsection 19-2-104(1)(a). Subsection 19-2-104(1)(a) authorizes the Air Quality Board to promulgate rules "regarding the control, abatement, and prevention of air pollution from all sources and the establishment of the maximum quantity of air pollutants that may be emitted by an air pollutant source." Rule R307-303 reduces PM _{2.5} and VOC emissions emitted from chain driven charbroilers in food service establishments by requiring installation, maintenance, and operation of catalytic oxidizers that reduce uncontrolled PM _{2.5} and VOC emissions.
4. A summary of written comments received during and since the last five-year review of this rule from interested persons supporting or opposing this rule:
There have been no comments in opposition or support of this rule since the last 5-year review.
5. A reasoned justification for continuation of this rule, including reasons why the agency disagrees with comments in opposition to this rule, if any:
R307-303 is needed to regulate uncontrolled emissions of PM _{2.5} and VOCs from chain driven charbroilers R307-303 is an important component of Utah's State Implementation Plan (SIP). It cannot be removed from the SIP without EPA approval. Therefore, this rule should be continued.

Agency Authorization Information

To the agency: Information requested on this form is required by Section 63G-3-305. Incomplete forms will be returned to the agency for completion, possibly delaying publication in the *Utah State Bulletin*.

Agency head or designee and title:	Bryce C. Bird, Director	Date:	12/07/2022
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Reminder: Text changes cannot be made with this type of rule filing. To change any text, please file an amendment or a nonsubstantive change.

1 **R307. Environmental Quality, Air Quality.**

2 **R307-303. Commercial Cooking.**

3 **R307-303-1. Purpose.**

4 The purpose of this rule is to reduce volatile organic compound (VOC) and PM2.5 emissions from
5 commercial cooking equipment.

6
7 **R307-303-2. Applicability.**

8 R307-303 shall apply to Box Elder, Cache, Davis, Salt Lake, Tooele, Utah and Weber counties.
9

10 **R307-303-3. Definitions.**

11 "Catalytic oxidizer" means an emission control device that employs a catalyst fixed onto a substrate
12 to oxidize air pollutants in an exhaust stream.

13 "Chain-driven charbroiler" means a semi-enclosed charbroiler designed to mechanically move food
14 on a grated grill through the broiler.

15 "Charbroiler" means a cooking device composed of a grated grill and a heat source, where food resting
16 on the grated grill cooks as the food receives direct heat from the heat source or a radiant surface.
17

18 **R307-303-4. Performance Standards and Recordkeeping.**

19 (1) Owners or operators of all chain-driven charbroilers in food service establishments shall install,
20 maintain and operate a catalytic oxidizer.

21 (2) Any emission control device installed and operated under this rule shall be operated, cleaned, and
22 maintained in accordance with the manufacturer's specifications. Manufacturer specifications for all emission
23 controls must be maintained onsite.

24 (3) The owner or operator shall maintain on the premises of the food service establishment records
25 of each of the following:

26 (a) The date of installation of the emission control device;

27 (b) When applicable, the date of the catalyst replacement; and

28 (c) For a minimum of five years, the date, time, and a brief description of all maintenance performed
29 on the emission control device, including, but not limited to, preventative maintenance, breakdown repair,
30 and cleaning.

31 (4) Opacity of exhaust stream shall not exceed 20% opacity using EPA Method 9.
32

33 **KEY: commercial cooking, charbroilers, PM2.5, VOC**

34 **Date of Last Change: December 15, 2015**

35 **Notice of Continuation: March 8, 2018**

36 **Authorizing, and Implemented or Interpreted Law: 19-2-101**

State of Utah
Administrative Rule Analysis
 Revised June 2022

FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION

Title No. - Rule No.

Rule Number:	R307-312	Filing ID: Office Use Only
Effective Date:	Office Use Only	

Agency Information

1. Department:	Environmental Quality	
Agency:	Air Quality	
Room number:		
Building:	MASOB	
Street address:	195 N. 1950 W.	
City, state and zip:	Salt Lake City, Utah 84116	
Mailing address:	P.O. Box 144820	
City, state and zip:	Salt Lake City, Utah 84114-4820	
Contact persons:		
Name:	Phone:	Email:
Bo Wood	385-499-3416	rwood@utah.gov

Please address questions regarding information on this notice to the agency.

General Information

2. Rule catchline:
R307-312. Aggregate Processing Operations for PM _{2.5} Nonattainment Areas
3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:
This rule was enacted under Subsection 19-2-104(1)(a). Subsection 19-2-104(1)(a) authorizes the Air Quality Board to promulgate rules "regarding the control, abatement, and prevention of air pollution from all sources and the establishment of the maximum quantity of air pollutants that may be emitted by an air pollutant source." Rule R307-312 reduces PM _{2.5} emissions emitted from aggregate processing operations by establishing reasonably available control technology (RACT) requirements within PM _{2.5} nonattainment areas, as well as clarifying regulatory requirements to the industry.
4. A summary of written comments received during and since the last five-year review of this rule from interested persons supporting or opposing this rule:
There have been no comments in opposition to or support of this rule since the last 5 year review.
5. A reasoned justification for continuation of this rule, including reasons why the agency disagrees with comments in opposition to this rule, if any:
R307-312 is needed to establish RACT controls in aggregate processing operations emitting PM _{2.5} . R307-312 is a component of Utah's State Implementation Plan (SIP), and cannot be removed from the SIP without EPA approval. Therefore, this rule should be continued.

Agency Authorization Information

To the agency: Information requested on this form is required by Section 63G-3-305. Incomplete forms will be returned to the agency for completion, possibly delaying publication in the *Utah State Bulletin*.

Agency head or designee and title:	Bryce C. Bird, Director	Date:	12/07/2022
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Reminder: Text changes cannot be made with this type of rule filing. To change any text, please file an amendment or a nonsubstantive change.

1 **R307. Environmental Quality, Air Quality.**

2 **R307-312. Aggregate Processing Operations for PM2.5 Nonattainment Areas.**

3 **R307-312-1. Purpose.**

4 R307-312 establishes emission standards for sources in the aggregate processing industry, including
5 aggregate processing equipment, hot mix asphalt plants, and concrete batch plants.
6

7 **R307-312-2. Applicability.**

8 (1) R307-312 applies to all crushers, screens, conveyors, hot mix asphalt plants, and concrete batch
9 plants located within a PM2.5 nonattainment and maintenance area as defined in 40 CFR 81.345 (July 1,
10 2011) and geographically described as all regions of Salt Lake and Davis counties; all portions of the Cache
11 Valley; all regions in Weber and Utah counties west of the Wasatch mountain range; in Box Elder County,
12 from the Wasatch mountain range west to the Promontory mountain range and south of Portage; and in Tooele
13 County, from the northernmost part of the Oquirrh mountain range to the northern most part of the Stansbury
14 mountain range and north of Route 199.

15 (2) The provisions of R307-312 do not apply to temporary hot mix asphalt plants.
16

17 **R307-312-3. Definitions.**

18 The following definitions apply to R307-312:

19 "Aggregate" means material of which the majority is nonmetallic minerals.

20 "Concrete batch plant" means any facility used to manufacture concrete by mixing aggregate with
21 cement.

22 "Conveyor" means a device for transporting nonmetallic materials from one piece of equipment to
23 another.

24 "Crusher" means a machine used to crush any nonmetallic minerals.

25 "Hot mix asphalt plant" means any facility used to manufacture hot mix asphalt by heating and drying
26 aggregate and mixing with asphalt cements.

27 "Nonmetallic mineral" has the same definition as defined in 40 CFR 60.671.

28 "Screen" means a device for separating nonmetallic minerals according to size by passing undersize
29 material through one or more mesh surfaces in series, and retaining oversize material on the mesh surfaces.

30 "Temporary" means not more than 180 operating days and not more than 365 calendar days.
31

32 **R307-312-4. Visible Emissions.**

33 (1) Visible emissions from sources subject to R307-312 shall not exceed the opacity limits as
34 specified in Table 1.
35

CATEGORY	TABLE 1 OPACITY LIMIT
Crushers	12%
Screens	7%
Conveyor transfer points	7%
Concrete batch plants	7%

36
37
38
39
40
41
42
43
44 (2) Opacity Observation.

45 (a) Opacity observations of emissions shall be conducted according to 40 CFR 60, Appendix A,
46 Method 9.

47 (b) The duration of the Method 9 observations shall be 30 minutes (five six-minute averages).

48 (c) Compliance shall be based on the average of the five six-minute averages. The duration of

1 Method 9 may be reduced to 6 minutes (one six-minute average) if the first six-minute average is below the
2 limit specified in Table 1.

3
4 **R307-312-5. Hot Mix Asphalt Plants.**

5 (1) The filterable PM2.5 emission rate from a hot mix asphalt plant dryer shall not exceed 0.024
6 grains per dscf.

7 (a) Filterable PM2.5 emissions shall be determined by 40 CFR 51, Appendix M, Method 201A.

8 (2) From November 1 to March 1, a hot mix asphalt plant burning a fuel other than natural gas or
9 liquefied petroleum gas (LPG) shall not produce more than 50% of its rated capacity.

10 (a) Production shall be determined by scale house records, belt scale records or manifest statements
11 on a daily basis.

12 (b) Compliance shall be based on either the daily amount of hot mix asphalt produced averaged over
13 the operating day or the daily amount of hot mix asphalt produced while burning a fuel other than natural gas
14 or LPG averaged over the time the plant is operating while burning a fuel other than natural gas or LPG each
15 day.

16 (c) Compliance shall be determined by production records and fuel records.

17
18 **R307-312-6. Compliance Schedule.**

19 (1) All sources subject to R307-312-4 or R307-312-5(2) shall be in compliance with this rule by June
20 7, 2013.

21 (2) All sources subject to R307-312-5(1) that begin construction prior to June 7, 2013, shall submit
22 test results demonstrating compliance with R307-312-5(1) to the director by December 14, 2015.

23 (3) All sources subject to R307-312-5(1) that begin construction on or after June 7, 2013, shall submit
24 test results demonstrating compliance with R307-312-5(1) to the director no later than 180 days after initial
25 startup.

26
27 **KEY: air pollution, aggregate, asphalt, concrete**

28 **Date of Last Change: February 4, 2016**

29 **Notice of Continuation: March 8, 2018**

30 **Authorizing, and Implemented or Interpreted Law: 19-2-101; 19-2-104; 19-2-109**

State of Utah
Administrative Rule Analysis
Revised June 2022

FIVE-YEAR NOTICE OF REVIEW AND STATEMENT OF CONTINUATION

Title No. - Rule No.

Rule Number:	R307-505	Filing ID: Office Use Only
Effective Date:	Office Use Only	

Agency Information

1. Department:	Environmental Quality	
Agency:	Air Quality	
Room number:		
Building:	MASOB	
Street address:	195 N. 1950 W.	
City, state and zip:	Salt Lake City, Utah 84116	
Mailing address:	P.O. Box 144820	
City, state and zip:	Salt Lake City, Utah 84114-4820	
Contact persons:		
Name:	Phone:	Email:
Bo Wood	385-499-3416	rwood@utah.gov

Please address questions regarding information on this notice to the agency.

General Information

2. Rule catchline:
R307-505. Oil and Gas Industry: Registration Requirements
3. A concise explanation of the particular statutory provisions under which the rule is enacted and how these provisions authorize or require this rule:
This rule is authorized under Subsection 19-2-104(1)(a), which authorizes the Air Quality Board to promulgate rules "regarding the control, abatement, and prevention of air pollution from all sources and the establishment of the maximum quantity of air pollutants that may be emitted by an air pollutant source." Subsection 19-2-104(1)(f) authorizes the Board to "implement an operating permit program as required by and in conformity with Titles IV and V of the federal Clean Air Act Amendments of 1990."
4. A summary of written comments received during and since the last five-year review of this rule from interested persons supporting or opposing this rule:
No comments in opposition to or support of this rule have been received since enactment five years ago.
5. A reasoned justification for continuation of this rule, including reasons why the agency disagrees with comments in opposition to this rule, if any:
Subsection 401-10 (5) provides an exemption from approval order requirements for sources in the oil and gas industry that register operations with the Division of Air Quality. R307-505 establishes the registration process and requirements. This rule is part of a group of rules that together establish a regulatory structure for sources in the oil and gas industry. This process is both less costly and more predictable for these sources than securing a standard approval order, while also reducing the costs associated with permitting for DAQ. R307-505 is an important part of this regulatory system and should be continued.

Agency Authorization Information

To the agency: Information requested on this form is required by Section 63G-3-305. Incomplete forms will be returned to the agency for completion, possibly delaying publication in the *Utah State Bulletin*.

Agency head or designee and title:	Bryce C. Bird, Director	Date:	12/07/2022
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Reminder: Text changes cannot be made with this type of rule filing. To change any text, please file an amendment or a nonsubstantive change.

1 **R307. Environmental Quality, Air Quality.**

2 **R307-505. Oil and Gas Industry: Registration Requirements.**

3 **R307-505-1. Purpose.**

4 R307-505 establishes requirements for sources in the oil and gas industry to register with the Division.

6 **R307-505-2. Applicability.**

7 (1) R307-505 applies to new and existing operations at a source with Standard Industrial
8 Classification codes in the major group 13, which includes but is not limited to industries involved in oil and
9 natural gas exploration, production, and transmission operations; well production facilities; natural gas
10 compressor stations; natural gas processing plants and commercial oil and gas disposal wells, and evaporation
11 ponds.

12 (a) A source that is subject to an approval order in accordance with R307-401-8 is exempt from
13 R307-505.

15 **R307-505-3. Registration Requirements.**

16 (1) An owner or operator of a source identified in R307-505-2 that begins operations on or after
17 January 1, 2018, shall register with the director 30 days prior to commencing operation.

18 (2) An owner or operator of a source identified in R307-505-2 that is in operation before January 1,
19 2018, shall register with the director by July 1, 2018.

20 (3) An owner or operator shall update the registration information within 30 days of any of the
21 following:

- 22 (a) changes to company name,
- 23 (b) removal or addition of control devices, or
- 24 (c) termination of operations.

25 (4) Registration shall be completed online in a format provided by the Division and shall include the
26 following general information: company name, mailing address, source location, source manager or point of
27 contact, process description, capacity and quantity of emitting equipment on-site, fuel type of combustion
28 related equipment (i.e. diesel, natural gas, propane, or field gas), emissions control devices installed,
29 emissions and certification that the facility is in compliance with R307-506 through R307-510.

31 **KEY: air pollution, oil, gas**

32 **Date of Last Change: January 26, 2018**

33 **Authorizing, and Implemented or Interpreted Law: 19-2-104(1)(a)**

ITEM 5



State of Utah

SPENCER J. COX
Governor

DEIDRE HENDERSON
Lieutenant Governor

Department of
Environmental Quality

Kimberly D. Shelley
Executive Director

DIVISION OF AIR QUALITY
Bryce C. Bird
Director

DAQ-082-22

MEMORANDUM

TO: Air Quality Board

THROUGH: Bryce C. Bird, Executive Secretary

THROUGH: Bo Wood, Rules Coordinator

FROM: Ryan Bares, Environmental Scientist

DATE: November 22, 2022

SUBJECT: PROPOSE FOR PUBLIC COMMENT: New Rules R307-315. NO_x Emission Controls for Natural Gas-Fired Boilers 2.0-5.0 MMBtu; and R307-316. NO_x Emission Controls for Natural Gas-Fired Boilers greater than 5.0 MMBtu.

On August 3, 2018, the U.S. Environmental Protection Agency (EPA) designated Utah's Northern Wasatch Front (NWF) as a marginal nonattainment area (NAA) for the 2015 National Ambient Air Quality Standard for 8-hour ozone concentrations (83 FR 25776). On October 7, 2022, EPA finalized the reclassification of the NWF NAA from marginal to moderate status (87 FR 60897) because the area failed to attain the standard by the attainment date. Monitoring data from the NAA from 2021 and 2022 indicate that the area will not attain the standard under the moderate timeline, and will most likely be reclassified to serious nonattainment status in 2024.

As a result of these designations, the state of Utah must identify and implement reductions of ozone precursor emissions, including volatile organic compounds (VOCs) and oxides of nitrogen (NO_x), in the designated NAA as part of its State Implementation Plan (SIP) obligations under section 172(c)(2) of the Clean Air Act.

R307-315 and R307-316 will reduce NO_x emissions from industrial, commercial, and institutional natural gas-fired boilers in Salt Lake, Weber, Davis, Tooele, and Utah counties by requiring that any new boiler, or burner installed on a boiler in these areas be certified to emit no more than 9 parts per million by volume (ppmv) of NO_x while operating. These rules do not require retrofits or replacements of any existing boilers. These rules will help reduce emissions from boilers within the nonattainment and surrounding areas over

time as the existing boiler stock is replaced with compliant boilers. Future emissions will also be curbed as the areas continue to grow by requiring new boiler installations to comply.

On September 9, 2022, UDAQ staff sent out an Advanced Notice of Proposed Rulemaking (ANPR) to a wide array of potentially impacted stakeholders, allowing staff and stakeholders to engage, discuss, and comment on the proposed rules. At the request of multiple impacted industry stakeholders, staff extended the deadline for ANPR from October 3rd to October 13th, allowing additional time for feedback. Throughout the ANPR period, staff engaged in multiple substantive conversations to fully understand the impacts of the proposed rules and also received several sets of comments from stakeholders during this period. Staff has worked to address the remarks received during these meetings and in the submitted comments, which are reflected in the proposed language of R307-315 and R307-316.

Staff also conducted an emission estimate and a Best Available Control Technology (BACT) cost analysis for both of the proposed rules. For R307-315, staff identified 2,026 boilers in the 2.0 – 5.0 MMBtu range, which combine to produce an estimated 1,936 tons per year (tpy) of NO_x emissions. Staff estimates that, once fully implemented, the adoption of R307-315 would result in a reduction of 1,727 tpy of these emissions, representing an 89.2% reduction of current emissions. Staff further concluded that the cost to adopt a 9 ppmv emission standard for this range of boiler would generally cost between \$2,567 and \$7,208 per ton of NO_x reduced. Staff determined that the emission reductions proposed in R307-315 are economically feasible.

For R307-316, staff identified 620 natural gas-fired boilers with a design value greater than 5.0 MMBtu. These boilers produce an estimated 1,791 tpy of NO_x emissions, of which an estimated 1,298 tpy could be reduced over time with the adoption of a 9 ppmv standard. This represents a 73.0% reduction in emissions with the adoption of R307-316. Staff also found the cost of implementing the standard proposed in R307-316 as economically feasible with the BACT cost ranging between \$575 and \$5,221 per ton of NO_x reduced. However, staff recognizes that within this large range of boilers, there is a substantial array of applications within industry, and that there will be instances where it may not be either technologically or financially feasible to meet this this emission standard. As a result, R307-316 includes an alternative method of control in which a source may submit to the director for approval, a demonstration showing why the standard cannot be met and a proposed alternative best achievable level of control.

Utah has the fastest growing population in the nation, and these rules will limit future emissions associated with this sector. NO_x emissions are a primary precursor to the formation of ozone as well as secondary fine particulate matter (PM_{2.5}) which continues to be problematic in Utah during wintertime. The implementation of these rules will benefit public health year-round.

Recommendation: Staff recommends the Board approve new rules R307-315, NO_x Emission Controls for Natural Gas-Fired Boilers 2.0-5.0 MMBtu, and R307-316, NO_x Emission Controls for Natural Gas-Fired Boilers greater than 5.0 MMBtu, for a 30-day public comment period.

State of Utah
Administrative Rule Analysis
 Revised June 2022

NOTICE OF PROPOSED RULE		
TYPE OF RULE: New <u> X </u> ; Amendment <u> </u> ; Repeal <u> </u> ; Repeal and Reenact <u> </u>		
Title No. - Rule No. - Section No.		
Rule or Section Number:	R307-315	Filing ID: Office Use Only

Agency Information

1. Department:	Environmental Quality	
Agency:	Air Quality	
Room number:		
Building:	MASOB	
Street address:	195 N. 1950 W.	
City, state and zip:	Salt Lake City, Utah 84116	
Mailing address:	P.O. Box 144820	
City, state and zip:	Salt Lake City, Utah 84114-4820	
Contact persons:		
Name:	Phone:	Email:
Bo Wood	385-499-3416	rwood@utah.gov
Ryan Bares		rbares@utah.gov
Please address questions regarding information on this notice to the agency.		

General Information

2. Rule or section catchline:
R307-315. NO _x Emission Controls for Natural Gas-Fired Boilers 2.0-5.0 MMBtu.
3. Purpose of the new rule or reason for the change (Why is the agency submitting this filing?):
<p>On October 7th, 2022, EPA finalized the reclassification of the Northern Wasatch Front Nonattainment Area (NAA) from marginal to moderate status for the 2015 NAAQS 8-hour ozone concentration. The moderate classification means that the state of Utah must identify and implement reductions of ozone precursor emissions, including Volatile Organic Compounds (VOCs) and Oxides of Nitrogen (NO_x), in the designated NAA area as part of its State Implementation Plan (SIP) obligations under section 172(c)(2) of the Clean Air Act.</p> <p>R307-315 will reduce emissions of NO_x from industrial, commercial, and institutional natural gas-fired boilers in Salt Lake, Weber, Davis, Tooele, and Utah counties by requiring any new boiler, or burner installed on a boiler in these areas to be certified to emit no more than 9 parts per million by volume (ppmv) while operating. The rule does not require retrofits or replacements of existing boilers. This rule will help reduce emissions from existing boilers within the nonattainment and surrounding areas over time as the existing boiler stock is replaced with compliant boilers. Future emissions will also be curbed as the areas continue to grow by requiring new boiler installations to comply.</p>
4. Summary of the new rule or change (What does this filing do? If this is a repeal and reenact, explain the substantive differences between the repealed rule and the reenacted rule):
<p>R307-315 will require a source operating a natural gas-fired boiler in an industrial, institutional or commercial setting in Salt Lake, Davis, Weber, Tooele, and Utah counties to install a unit certified to emit no more than 9 ppmv and retain the following records: a copy of the boilers emission rate specifications, the manufacturer's recommendations for proper operation and maintenance of the equipment, records showing proper operation and maintenance of equipment, and the manufacturer's certification for any burners replaced.</p>

Fiscal Information

5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:
--

A) State budget:

The fiscal impact of this rule on state budgets is unknown. This rule will eventually impact all boilers between 2.0 and 5.0MMBtu in impacted counties, a portion of which are owned and operated by the state. The rule does not require retrofits to existing boilers, so the near-term impact of the rule will be limited to new installations, burner replacements, and boilers reaching the end of their useful life. A DAQ analysis identified 2,026 boilers in the 2.0- 5.0MMBtu range located in the impacted counties, but the proportion owned and operated by state government is not known. DAQ estimates a cost difference of approximately \$19,000 for replacing a 3.34MMBtu standard boiler with an Ultra-Low NO_x boiler rated at 9ppmv. However, the timing of replacements is unknown and therefore the fiscal impact cannot be accurately estimated.

B) Local governments:

The fiscal impact of this rule on local governments is unknown. This rule will eventually impact all boilers between 2.0 and 5.0 MMBtu in impacted counties, a portion of which are owned and operated by local governments. The rule does not require retrofits to existing boilers, so the near-term impact of the rule will be limited to new installations, burner replacements, and boilers reaching the end of their useful life. A DAQ analysis identified 2,026 boilers in the 2.0- 5.0MMBtu range located in the impacted counties, but the proportion owned and operated by local governments is not known. DAQ estimates a cost difference of approximately \$19,000 for replacing a 3.34MMBtu standard boiler with an Ultra-Low NO_x boiler rated at 9ppmv. However, the timing of replacements is unknown and therefore the fiscal impact cannot be accurately estimated.

C) Small businesses ("small business" means a business employing 1-49 persons):

The fiscal impact of this rule on small business is unknown. This rule will eventually impact all boilers between 2.0 and 5.0MMBtu in impacted counties, a portion of which are owned and operated by small businesses. The rule does not require retrofits to existing boilers, so the near-term impact of the rule will be limited to new installations, burner replacements, and boilers reaching the end of their useful life. A DAQ analysis identified 2,026 boilers in the 2.0-5.0MMBtu range located in the impacted counties, but the proportion owned and operated by small businesses is not known. DAQ estimates a cost difference of approximately \$19,000 for replacing a 3.34MMBtu standard boiler with an Ultra-Low NO_x boiler rated at 9ppmv. However, the timing of replacements is unknown and therefore the fiscal impact cannot be accurately estimated.

D) Non-small businesses ("non-small business" means a business employing 50 or more persons):

The fiscal impact of this rule on non-small business is unknown. This rule will eventually impact all boilers between 2.0 and 5.0MMBtu in impacted counties, a portion of which are owned and operated by non-small businesses. The rule does not require retrofits to existing boilers, so the near-term impact of the rule will be limited to new installations, burner replacements, and boilers reaching the end of their useful life. A DAQ analysis identified 2,026 boilers in the 2.0-5.0MMBtu range located in the impacted counties, but the proportion owned and operated by non-small businesses is not known. DAQ estimates a cost difference of approximately \$19,000 for replacing a 3.34MMBtu standard boiler with an Ultra-Low NO_x boiler rated at 9ppmv. However, the timing of replacements is unknown and therefore the fiscal impact cannot be accurately estimated.

E) Persons other than small businesses, non-small businesses, state, or local government entities ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an *agency*):

The fiscal impact of this rule on other persons is unknown. This rule will eventually impact all boilers between 2.0 and 5.0MMBtu in impacted counties, a portion of which are owned and operated persons other than small businesses, non-small businesses, state, or local governments. The rule does not require retrofits to existing boilers, so the near-term impact of the rule will be limited to new installations, burner replacements, and boilers reaching the end of their useful life. A DAQ analysis identified 2,026 boilers in the 2.0-5.0MMBtu range located in the impacted counties, but the proportion owned and operated by other persons is not known. DAQ estimates a cost difference of approximately \$19,000 for replacing a 3.34MMBtu standard boiler with an Ultra-Low NO_x boiler rated at 9ppmv. However, the timing of replacements is unknown and therefore the fiscal impact cannot be accurately estimated.

F) Compliance costs for affected persons (How much will it cost an impacted entity to adhere to this rule or its changes?):

The cost of compliance with this rule is estimated as the total cost difference between a boiler rated at 30ppmv and a boiler rated at 9ppmv for the same design value. A staff analysis of comparable models with a design value of 3.34MMBtu found this difference to be \$19,000.

G) Regulatory Impact Summary Table (This table only includes fiscal impacts that could be measured. If there are inestimable fiscal impacts, they will not be included in this table. Inestimable impacts will be included in narratives above.)

Regulatory Impact Table			
Fiscal Cost	FY2023	FY2024	FY2025
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Cost	\$0	\$0	\$0
Fiscal Benefits	FY2023	FY2024	FY2025

State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Benefits	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0

H) Department head comments on fiscal impact and approval of regulatory impact analysis:
The Executive Director of the Department of Environmental Quality, Kimberly D. Shelley, has reviewed and approved this regulatory impact analysis.

Citation Information

6. Provide citations to the statutory authority for the rule. If there is also a federal requirement for the rule, provide a citation to that requirement:

19-2-104	Ex 2: Subsection 63G-3-403(3)	

Incorporations by Reference Information

7. Incorporations by Reference (if this rule incorporates more than two items by reference, please include additional tables):

A) This rule adds, updates, or removes the following title of materials incorporated by references (a copy of materials incorporated by reference must be submitted to the Office of Administrative Rules; *if none, leave blank*):

Official Title of Materials Incorporated (from title page)	
Publisher	
Issue Date	
Issue or Version	

B) This rule adds, updates, or removes the following title of materials incorporated by references (a copy of materials incorporated by reference must be submitted to the Office of Administrative Rules; *if none, leave blank*):

Official Title of Materials Incorporated (from title page)	
Publisher	
Issue Date	
Issue or Version	

Public Notice Information

8. The public may submit written or oral comments to the agency identified in box 1. (The public may also request a hearing by submitting a written request to the agency. See Section 63G-3-302 and Rule R15-1 for more information.)

A) Comments will be accepted until: 02/03/2023

B) A public hearing (optional) will be held:

On (mm/dd/yyyy):	At (hh:mm AM/PM):	At (place):
02/03/2023	10:00 am	Video call link: https://meet.google.com/sgt-anta-dxu Or dial: (US) +1 650-530-6397 PIN: 377 759 539#
The scheduled hearing will be canceled if no request is received.		

9. This rule change MAY become effective on: 03/02/2023

NOTE: The date above is the date the agency anticipates making the rule or its changes effective. It is NOT the effective date.

Agency Authorization Information

To the agency: Information requested on this form is required by Sections 63G-3-301, 302, 303, and 402. Incomplete forms will be returned to the agency for completion, possibly delaying publication in the *Utah State Bulletin* and delaying the first possible effective date.

Agency head or designee and title:	Bryce C. Bird, Director	Date:	12/07/2022
---	-------------------------	--------------	------------

1 **R307. Environmental Quality, Air Quality.**

2 **R307-315. NOx Emission Controls for Natural Gas-Fired Boilers 2.0-5.0 MMBtu.**

3
4 **R307-315-1. Purpose.**

5 Rule R307-315 establishes maximum emission thresholds for the emissions of oxides of nitrogen
6 (NOx) for new or modified natural gas-fired boilers with a total rated heat input of at least 2.0 million
7 British Thermal Units per hour (MMBtu/hr) and not more than 5.0 MMBtu/hr.

8
9 **R307-315-2. Applicability.**

10
11 Rule R307-315 applies to each boiler that commences construction or modification after the
12 compliance date defined in Section R307-315-6 that:

- 13 (1) is fueled by natural gas;
14 (2) has a total rated heat input greater than 2.0 MMBtu/hr and not more than 5.0 MMBtu/hr;
15 (3) is operated in an industrial, institutional, or commercial setting;
16 (4) is located in Salt Lake, Utah, Davis, Weber, or Tooele County; and
17 (5) is not a temporary boiler.

18
19 **R307-315-3. Definitions.**

20 As used in this rule:

21
22 “Boiler” means boiler as defined in 40 CFR 63.11237, Subpart JJJJJ National Emission
23 Standards for Hazardous Air Pollutants for Industrial, Commercial, and Institutional Boilers Area
24 Sources, which is incorporated by reference in Rule R307-210.

25
26 “Burner” means the functional component of a boiler that provides the heat input by combustion
27 of a fossil fuel, with air or oxygen. Burners are available either as part of the boiler package from the
28 manufacturer, as stand-alone products for custom installations, or as replacement products.

29
30 “Construction” means any physical change or change in the method of operation including
31 fabrication, erection, installation, demolition, or modification of a source which would result in a change
32 in actual emissions.

33
34 “Modification” means any planned change in a source which results in a potential increase of
35 emission.

36
37 “Natural gas” means:

38 (1) A naturally occurring mixture of hydrocarbon and nonhydrocarbon gases found in geologic
39 formations beneath the earth's surface, of which the principal constituent is methane;

40 (2) Liquefied petroleum gas, as defined by the American Society for Testing and Materials in
41 ASTM D1835 (incorporated by reference, see § 63.14);

42 (3) A mixture of hydrocarbons that maintains a gaseous state at ISO conditions (i.e., a
43 temperature of 288 Kelvin, a relative humidity of 60 percent, and a pressure of 101.3 kilopascals).
44 Additionally, natural gas must either be composed of at least 70 percent methane by volume or have a
45 gross calorific value between 35 and 41 megajoules (MJ) per dry standard cubic meter (950 and 1,100
46 Btu per dry standard cubic foot); or

47 (4) Propane or propane-derived synthetic natural gas. Propane means a colorless gas derived

1 from petroleum and natural gas, with the molecular structure C₃H₈.

2
3 “Temporary boiler” means any gaseous or liquid fuel-fired steam generating unit that is designed
4 to, and is capable of, being carried or moved from one location to another by means of, for example,
5 wheels, skids, carrying handles, dollies, trailers, or platforms. A steam generating unit is not a temporary
6 boiler if any one of the following conditions exists:

7 _____ (1) The equipment is attached to a foundation.

8 _____ (2) The steam generating unit or a replacement remains at a location for more than 180
9 consecutive days. Any temporary boiler that replaces a temporary boiler at a location and performs the
10 same or similar function will be included in calculating the consecutive time period.

11 _____ (3) The equipment is located at a seasonal facility and operates during the full annual operating
12 period of the seasonal facility, remains at the facility for at least two years, and operates at that facility
13 for at least three months each year.

14 _____ (4) The equipment is moved from one location to another in an attempt to circumvent the
15 residence time requirements of this definition.

16 17 **R307-315-4. Requirements.**

18
19 _____ (1) A person that:

20 _____ (a) commences construction, or modification of a boiler;

21 _____ (b) replaces a burner in a boiler, or

22 _____ (c) replaces 50% or more of the burners in a multi-burner boiler,

23 _____ for a boiler meeting the requirements of Section R307-315-2 shall:

24 _____ (2) Install a burner that is certified to meet a NO_x emission rate of nine parts per million by
25 volume (ppmv) or less at 3% volume stack gas oxygen on a dry basis averaged over a 24-hour period.

26 _____ (3) An owner or operator of a boiler subject to Subsection R307-315-4(1) shall operate and
27 maintain the boiler and boiler subsystems, including burner(s), according to the manufacturer’s
28 instructions.

29 _____ (4) A manufacturer of a boiler or boiler burner meeting the requirement of Subsection R307-
30 315-4(2) shall certify the boiler or boiler burner as complying with the emission rate in Subsection
31 R307-315-4(2).

32 _____ (5) Manufacturer's operational specifications, records, and testing of any control system shall
33 use the applicable EPA Reference Methods of 40 CFR Part 60, the most recent EPA test methods, or
34 EPA-approved state methods, to determine the efficiency of the control device.

35 _____ (6) The owner or operator must meet the applicable recordkeeping requirements for any control
36 device.

37 38 **R307-315-5. Recordkeeping.**

39 _____ (1) The owner or operator of any unit subject to Rule R307-315 shall:

40 _____ (a) Retain documentation of the unit’s emission rate specifications;

41 _____ (b) Retain a copy of the manufacturer’s recommendations for proper operation and maintenance
42 of units covered by Rule R307-315;

43 _____ (c) Maintain records showing proper operation and maintenance of units covered by Rule R307-
44 315 following manufacturer’s recommendations; and

45 _____ (d) Retain a copy of the manufacturer’s certification for any replacement burner.

46 _____ (2) Operation and maintenance records shall be retained for five years and shall be made
47 available to the director upon request.

1 **R307-316-6. Compliance Schedule.**

2 The compliance schedule for this rule shall begin on May 1, 2023.

3

4

5 **KEY: air pollution, boiler, NOx, nitrogen oxides**

6 **Date of Last Change:**

7 **Authorizing, and Implemented or Interpreted Law: 19-2-104**

State of Utah
Administrative Rule Analysis
 Revised June 2022

NOTICE OF PROPOSED RULE		
TYPE OF RULE: New <u> X </u> ; Amendment <u> </u> ; Repeal <u> </u> ; Repeal and Reenact <u> </u>		
Title No. - Rule No. - Section No.		
Rule or Section Number:	R307-316	Filing ID: Office Use Only

Agency Information

1. Department:	Environmental Quality	
Agency:	Air Quality	
Room number:		
Building:	MASOB	
Street address:	195 N. 1950 W.	
City, state and zip:	Salt Lake City, Utah 84116	
Mailing address:	P.O. Box 144820	
City, state and zip:	Salt Lake City, Utah 84114-4820	
Contact persons:		
Name:	Phone:	Email:
Bo Wood	385-499-3416	rwood@utah.gov
Ryan Bares		rbares@utah.gov

Please address questions regarding information on this notice to the agency.

General Information

2. Rule or section catchline:
R307-316. NO _x Emission Controls for Natural Gas-Fired Boilers greater than 5.0 MMBtu.
3. Purpose of the new rule or reason for the change (Why is the agency submitting this filing?):
<p>On October 7th, 2022, EPA finalized the reclassification of the Northern Wasatch Front Nonattainment Area (NAA) from marginal to moderate status for the 2015 NAAQS 8-hour ozone concentration. The moderate classification means that the state of Utah must identify and implement reductions of ozone precursor emissions, including Volatile Organic Compounds (VOCs) and Oxides of Nitrogen (NO_x), in the designated NAA area as part of its State Implementation Plan (SIP) obligations under section 172(c)(2) of the Clean Air Act.</p> <p>R307-316 will reduce emissions of NO_x from industrial, commercial, and institutional natural gas-fired boilers in Salt Lake, Weber, Davis, Tooele, and Utah counties by requiring any new boiler, or burner installed on a boiler in these areas to be certified to emit no more than 9 parts per million by volume (ppmv) while operating. The rule does not require retrofits or replacements of existing boilers. This rule will help reduce emissions from existing boilers within the nonattainment and surrounding areas over time as the existing boiler stock is replaced with compliant boilers. Future emissions will also be curbed as the areas continue to grow by requiring new boiler installations to comply.</p>
4. Summary of the new rule or change (What does this filing do? If this is a repeal and reenact, explain the substantive differences between the repealed rule and the reenacted rule):
<p>R307-316 will require a source operating a natural gas-fired boiler in an industrial, institutional or commercial setting in Salt Lake, Davis, Weber, Tooele, and Utah counties to install a unit certified to emit no more than 9 ppmv and retain the following records: a copy of the boilers emission rate specifications, the manufacturer's recommendations for proper operation and maintenance of the equipment, records showing proper operation and maintenance of equipment, the manufacturer's certification for any burners replaced, records of any testing as required on boilers greater than 40 MMBtu, and a record of approval for any approved alternative method of control.</p>

Fiscal Information

5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:
--

A) State budget:

The fiscal impact of this rule on state budgets is unknown. This rule will eventually impact all boilers above 5 MMBtu in impacted counties, a portion of which are owned and operated by the state. The rule does not require retrofits to existing boilers, so the near-term impact of the rule will be limited to new installations, burner replacements, and boilers reaching the end of their useful life. A DAQ analysis identified 620 boilers greater than 5 MMBtu located in the impacted counties, but the proportion owned and operated by state government is not known. DAQ estimates a cost difference between \$13,000 and \$26,000 for a 6.7MMBtu standard boiler that is replaced with an Ultra-Low NO_x boiler rated at 9 ppmv. However, since the timing of replacement is unknown, the fiscal impact cannot be accurately estimated. For boilers over 40 MMBtu, verification of the required testing will occur as part of the regular compliance inspection process and will have no fiscal impact for DAQ or other state agency.

B) Local governments:

The fiscal impact of this rule on local governments is unknown. This rule will eventually impact all boilers above 5 MMBtu in impacted counties, a portion of which are owned and operated by local governments. The rule does not require retrofits to existing boilers, so the near-term impact of the rule will be limited to new installations, burner replacements, and boilers reaching the end of their useful life. A DAQ analysis identified 620 boilers over 5 MMBtu located in the impacted counties, but the proportion owned and operated by local governments is not known. DAQ estimates a cost difference between \$13,000 and \$26,000 for a 6.7MMBtu standard boiler that is replaced with an Ultra-Low NO_x boiler rated at 9 ppmv. However, since the timing of replacement is unknown, the fiscal impact cannot be accurately estimated.

C) Small businesses ("small business" means a business employing 1-49 persons):

The fiscal impact of this rule on small business is unknown. This rule will eventually impact all boilers above 5 MMBtu in impacted counties, a portion of which are owned and operated by small businesses. The rule does not require retrofits to existing boilers, so the near-term impact of the rule will be limited to new installations, burner replacements, and boilers reaching the end of their useful life. A DAQ analysis identified 620 boilers over 5 MMBtu located in the impacted counties, but the proportion owned and operated by small businesses is not known. DAQ estimates a cost difference between \$13,000 and \$26,000 for a 6.7MMBtu standard boiler that is replaced with an Ultra-Low NO_x boiler rated at 9 ppmv. However, since the timing of replacement is unknown, the fiscal impact cannot be accurately estimated.

D) Non-small businesses ("non-small business" means a business employing 50 or more persons):

The fiscal impact of this rule on non-small business is unknown. This rule will eventually impact all boilers above 5 MMBtu in impacted counties, a portion of which are owned and operated by non-small businesses. The rule does not require retrofits to existing boilers, so the near-term impact of the rule will be limited to new installations, burner replacements, and boilers reaching the end of their useful life. A DAQ analysis identified 620 boilers over 5 MMBtu located in the impacted counties, but the proportion owned and operated by non-small businesses is not known. DAQ estimates a cost difference between \$13,000 and \$26,000 for a 6.7MMBtu standard boiler that is replaced with an Ultra-Low NO_x boiler rated at 9 ppmv. However, since the timing of replacement is unknown, the fiscal impact cannot be accurately estimated.

E) Persons other than small businesses, non-small businesses, state, or local government entities ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an *agency*):

The fiscal impact of this rule on other persons is unknown. This rule will eventually impact all boilers above 5 MMBtu in impacted counties, a portion of which are owned and operated persons other than small businesses, non-small businesses, state, or local governments. The rule does not require retrofits to existing boilers, so the near-term impact of the rule will be limited to new installations, burner replacements, and boilers reaching the end of their useful life. A DAQ analysis identified 620 boilers over 5 MMBtu located in the impacted counties, but the proportion owned and operated by other persons is not known. DAQ estimates a cost difference between \$13,000 and \$26,000 for a 6.7MMBtu standard boiler that is replaced with an Ultra-Low NO_x boiler rated at 9 ppmv. However, since the timing of replacement is unknown, the fiscal impact cannot be accurately estimated.

F) Compliance costs for affected persons (How much will it cost an impacted entity to adhere to this rule or its changes?):

The cost of compliance with this rule is estimated as the total cost difference between a boiler rated at 30 ppmv and a boiler rated at 9 ppmv for the same design value. A staff analysis of comparable models with a design value of 6.7MMBtu found this difference to be \$12,759.50. Larger boiler installations are expected to be greater, but proportionately similar to this estimate.

G) Regulatory Impact Summary Table (This table only includes fiscal impacts that could be measured. If there are inestimable fiscal impacts, they will not be included in this table. Inestimable impacts will be included in narratives above.)

Regulatory Impact Table			
Fiscal Cost	FY2023	FY2024	FY2025
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0

Total Fiscal Cost	\$0	\$0	\$0
Fiscal Benefits	FY2023	FY2024	FY2025
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
Total Fiscal Benefits	\$0	\$0	\$0
Net Fiscal Benefits	\$0	\$0	\$0

H) Department head comments on fiscal impact and approval of regulatory impact analysis:
The Executive Director of the Department of Environmental Quality, Kimberly D. Shelley, has reviewed and approved this regulatory impact analysis.

Citation Information

6. Provide citations to the statutory authority for the rule. If there is also a federal requirement for the rule, provide a citation to that requirement:

19-2-104	Ex 2: Subsection 63G-3-403(3)	

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8. The public may submit written or oral comments to the agency identified in box 1. (The public may also request a hearing by submitting a written request to the agency. See Section 63G-3-302 and Rule R15-1 for more information.)

A) Comments will be accepted until: 02/03/2023

B) A public hearing (optional) will be held:

On (mm/dd/yyyy):	At (hh:mm AM/PM):	At (place):
02/03/2023	10:00 am	Video call link: https://meet.google.com/sgt-anta-dxu Or dial: (US) +1 650-530-6397 PIN: 377 759 539#
The scheduled hearing will be canceled if no request is received.		

9. This rule change MAY become effective on:	03/02/2023
NOTE: The date above is the date the agency anticipates making the rule or its changes effective. It is NOT the effective date.	

Agency Authorization Information

To the agency: Information requested on this form is required by Sections 63G-3-301, 302, 303, and 402. Incomplete forms will be returned to the agency for completion, possibly delaying publication in the *Utah State Bulletin* and delaying the first possible effective date.

Agency head or designee and title:	Bryce C. Bird, Director	Date:	12/07/2022
---	-------------------------	--------------	------------

1 **R307. Environmental Quality, Air Quality.**

2 **R307-316. NO_x Emission Controls for Natural Gas-Fired Boilers greater than 5.0 MMBtu.**

3
4 **R307-316-1. Purpose.**

5 Rule R307-316 establishes maximum emission thresholds for the emissions of oxides of nitrogen
6 (NO_x) for new or modified natural gas-fired boilers with a total rated heat input greater than 5.0 million
7 British Thermal Units per hour (MMBtu/hr).

8
9 **R307-316-2. Applicability.**

10
11 Rule R307-316 applies to each boiler that commences construction or modification after the
12 compliance date defined in Section R307-316-6 that:

- 13 (1) is fueled by natural gas;
14 (2) has a total rated heat input greater than 5.0 MMBtu/hr;
15 (3) is operated in an industrial, institutional, or commercial setting;
16 (4) is located in Salt Lake, Utah, Davis, Weber, or Tooele County; and
17 (5) is not a temporary boiler.

18
19 **R307-316-3. Definitions.**

20 As used in this rule:

21
22 “Boiler” means boiler as defined in 40 CFR 63.11237, Subpart JJJJJ National Emission
23 Standards for Hazardous Air Pollutants for Industrial, Commercial, and Institutional Boilers Area
24 Sources, which is incorporated by reference in Rule R307-210.

25
26 “Burner” means the functional component of a boiler that provides the heat input by combustion
27 of a fossil fuel with air or oxygen. Burners are available either as part of the boiler package from the
28 manufacturer, as stand-alone products for custom installations, or as replacement products.

29
30 “Construction” means any physical change or change in the method of operation including
31 fabrication, erection, installation, demolition, or modification of a source which would result in a change
32 in actual emissions.

33
34 “Modification” means any planned change in a source that results in a potential increase of
35 emission.

36
37 “Natural gas” means:

38 (1) A naturally occurring mixture of hydrocarbon and nonhydrocarbon gases found in geologic
39 formations beneath the earth's surface of which the principal constituent is methane;

40 (2) Liquefied petroleum gas, as defined by the American Society for Testing and Materials in
41 ASTM D1835 (incorporated by reference, see § 63.14);

42 (3) A mixture of hydrocarbons that maintains a gaseous state at ISO conditions (i.e., a
43 temperature of 288 Kelvin, a relative humidity of 60 percent, and a pressure of 101.3 kilopascals).
44 Additionally, natural gas must either be composed of at least 70 percent methane by volume or have a
45 gross calorific value between 35 and 41 megajoules (MJ) per dry standard cubic meter (950 and 1,100
46 Btu per dry standard cubic foot); or

47 (4) Propane or propane-derived synthetic natural gas. Propane means a colorless gas derived

1 from petroleum and natural gas, with the molecular structure C₃H₈.

2
3 “Temporary boiler” means any gaseous or liquid fuel-fired steam generating unit that is designed
4 to, and is capable of, being carried or moved from one location to another by means of, for example,
5 wheels, skids, carrying handles, dollies, trailers, or platforms. A steam generating unit is not a temporary
6 boiler if any one of the following conditions exists:

7 _____ (1) The equipment is attached to a foundation.

8 _____ (2) The steam generating unit or a replacement remains at a location for more than 180
9 consecutive days. Any temporary boiler that replaces a temporary boiler at a location and performs the
10 same or similar function will be included in calculating the consecutive time period.

11 _____ (3) The equipment is located at a seasonal facility and operates during the full annual operating
12 period of the seasonal facility, remains at the facility for at least two years, and operates at that facility
13 for at least three months each year.

14 _____ (4) The equipment is moved from one location to another in an attempt to circumvent the
15 residence time requirements of this definition.

16 17 **R307-316-4. Requirements.**

18
19 _____ (1) Except as provided in Subsection R307-316-4(8), a person that:

20 _____ (a) commences construction, or modification of a boiler;

21 _____ (b) replaces a burner in a boiler; or

22 _____ (c) replaces 50% or more of the burners in a multi-burner boiler,

23 _____ for a boiler meeting the requirements of Section R307-316-2 shall:

24 _____ (2) Install a burner that is certified to meet a NO_x emission rate of nine parts per million by
25 volume (ppmv) or less at 3% volume stack gas oxygen on a dry basis averaged over a 24-hour period.

26 _____ (3) An owner or operator of a boiler subject to Subsection R307-316-4(1) shall operate and
27 maintain the boiler and boiler subsystems, including burner(s), according to the manufacturer’s
28 instructions.

29 _____ (4) A manufacturer of a boiler or boiler burner meeting the requirement of Subsection R307-
30 316-4(2) shall certify the boiler or boiler burner as complying with the emission rate in Subsection
31 R307-316-4(2).

32 _____ (5) Boilers over 40 MMBtu/hr shall be tested for compliance with the emission limit in
33 Subsection R307-316-4(2) no less than once every three years using EPA Reference Method 7E.

34 _____ (6) Manufacturer's operational specifications, records, and testing of any control system shall
35 use the applicable EPA Reference Methods of 40 CFR Part 60, the most recent EPA test methods, or
36 EPA-approved state methods, to determine the efficiency of the control device.

37 _____ (7) The owner or operator must meet the applicable recordkeeping requirements for any control
38 device.

39 _____ (8) Any person may apply to the director for approval of an alternate method of control. The
40 application must include a demonstration that the proposed alternate produces an equal air quality
41 benefit as required by Subsection R307-316-4(2) or the best achievable level of control available.

42 43 **R307-316-5. Recordkeeping.**

44 _____ (1) The owner or operator of any unit subject to Rule R307-316 shall:

45 _____ (a) Retain documentation of the unit’s emission rate specifications;

46 _____ (b) Retain a copy of the manufacturer’s recommendations for proper operation and maintenance
47 of units covered by Rule R307-316;

48 _____ (c) Maintain records showing proper operation and maintenance of units covered by Rule R307-

1 316 following manufacturer's recommendations;

2 (d) Retain a copy of the manufacturer's certification for any replacement burner;

3 (e) Retain records of any certification testing as required under Section R307-316-4(5); and

4 (f) Retain a record of approval of any alternative method of control as outlined in Subsection
5 R307-316-4(8).

6 (2) Operation and maintenance records shall be retained for five years and shall be made
7 available to the director upon request.

8
9 **R307-316-6. Compliance Schedule.**

10 The compliance schedule for this rule shall begin on May 1, 2023.

11
12
13 **KEY: air pollution, boiler, NO_x, nitrogen oxides**

14 **Date of Last Change:**

15 **Authorizing, and Implemented or Interpreted Law: 19-2-104**

ITEM 6

Air Toxics



State of Utah

SPENCER J. COX
Governor

DEIDRE HENDERSON
Lieutenant Governor

Department of
Environmental Quality

Kimberly D. Shelley
Executive Director

DIVISION OF AIR QUALITY
Bryce C. Bird
Director

DAQA-448-22

MEMORANDUM

TO: Air Quality Board

FROM: Bryce C. Bird, Executive Secretary

DATE: November 18, 2022

SUBJECT: Air Toxics, Lead-Based Paint, and Asbestos (ATLAS) Section Compliance Activities – October 2022

Asbestos Demolition/Renovation NESHAP Inspections	13
Asbestos AHERA Inspections	11
Asbestos State Rules Only Inspections	7
Asbestos Notification Forms Accepted	133
Asbestos Telephone Calls	301
Asbestos Individuals Certifications Approved	75
Asbestos Company Certifications/Recertifications	1/2
Asbestos Alternate Work Practices Approved	4
Lead-Based Paint (LBP) Inspections	2
LBP Notification Forms Approved	2
LBP Telephone Calls	38
LBP Letters Prepared and Mailed	4
LBP Courses Reviewed/Approved	0
LBP Course Audits	0
LBP Individual Certifications Approved	12

LBP Firm Certifications	10
Notices of Violation Sent	0
Compliance Advisories Sent	5
Warning Letters Sent	9
Settlement Agreements Finalized	1
Penalties Agreed to:	
Tru Homes and Construction Inc.	\$1,200.00

Compliance



State of Utah

SPENCER J. COX
Governor

DEIDRE HENDERSON
Lieutenant Governor

Department of
Environmental Quality

Kimberly D. Shelley
Executive Director

DIVISION OF AIR QUALITY
Bryce C. Bird
Director

DAQC-1510-22

MEMORANDUM

TO: Air Quality Board

FROM: Bryce C. Bird, Executive Secretary

DATE: November 10, 2022

SUBJECT: Compliance Activities – October 2022

ACTIVITIES:

Activity	Monthly Total	36-Month Average
Inspections	37	55
On-Site Stack Test & CEM Audits	4	3
Stack Test & RATA Report Reviews	91	33
Emission Report Reviews	16	14
Temporary Relocation Request Reviews	9	7
Fugitive Dust Control Plan Reviews	85	136
Soil Remediation Report Reviews	4	2
Open Burn Permits Issued	732	
Miscellaneous Inspections ¹	14	20
Complaints Received	24	16
Wood Burning Complaints Received	0	1
Breakdown Reports Received	1	1
Compliance Actions Resulting from a Breakdown	0	0
VOC Inspections	0	0
Warning Letters Issued	2	2
Notices of Violation Issued	1	0
Compliance Advisories Issued	6	5
No Further Action Letters Issued	1	3
Settlement Agreements Reached	0	2
Penalties Assessed	0	\$127,489.39

¹Miscellaneous inspections include, e.g., surveillance, complaint, on-site training, dust patrol, smoke patrol, open burning, etc.

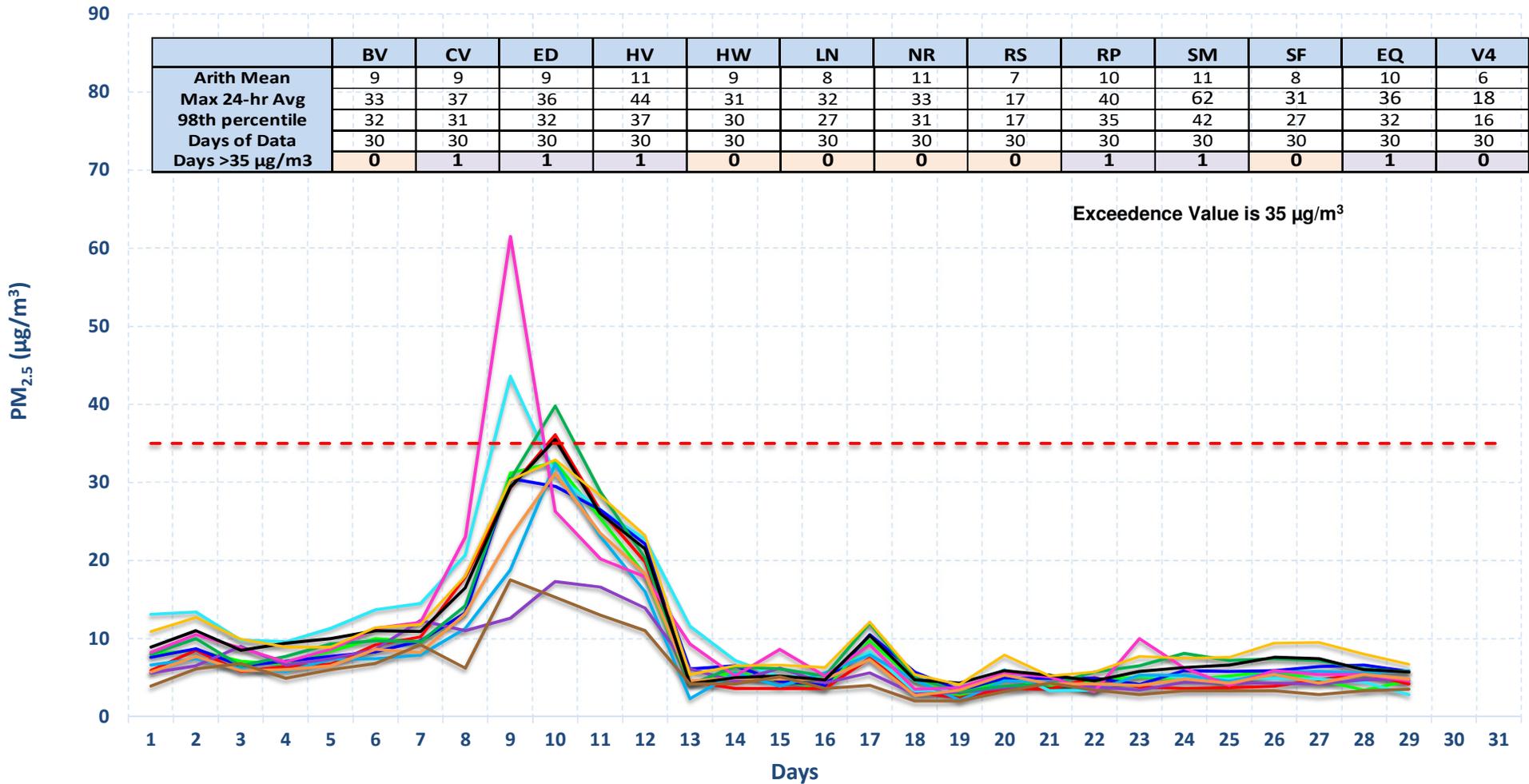
UNRESOLVED NOTICES OF VIOLATION:

Party	Date Issued
US Magnesium (in litigation)	08/27/2015
US Magnesium (in litigation)	03/02/2018
Citation Oil and Gas (tolled)	01/15/2020
Ovintiv Production Inc.	07/14/2020
CH4 Finley	07/24/2020
Paradox Resources/Four Corners Pipeline (tolled)	11/05/2021
US Magnesium (hearing requested)	11/16/2021
Uinta Wax	09/15/2022
Paradox Midstream	11/03/2022

Air Monitoring

Utah 24-Hr PM_{2.5} Data September 2022

	BV	CV	ED	HV	HW	LN	NR	RS	RP	SM	SF	EQ	V4
Arith Mean	9	9	9	11	9	8	11	7	10	11	8	10	6
Max 24-hr Avg	33	37	36	44	31	32	33	17	40	62	31	36	18
98th percentile	32	31	32	37	30	27	31	17	35	42	27	32	16
Days of Data	30	30	30	30	30	30	30	30	30	30	30	30	30
Days >35 µg/m ³	0	1	1	1	0	0	0	0	1	1	0	1	0



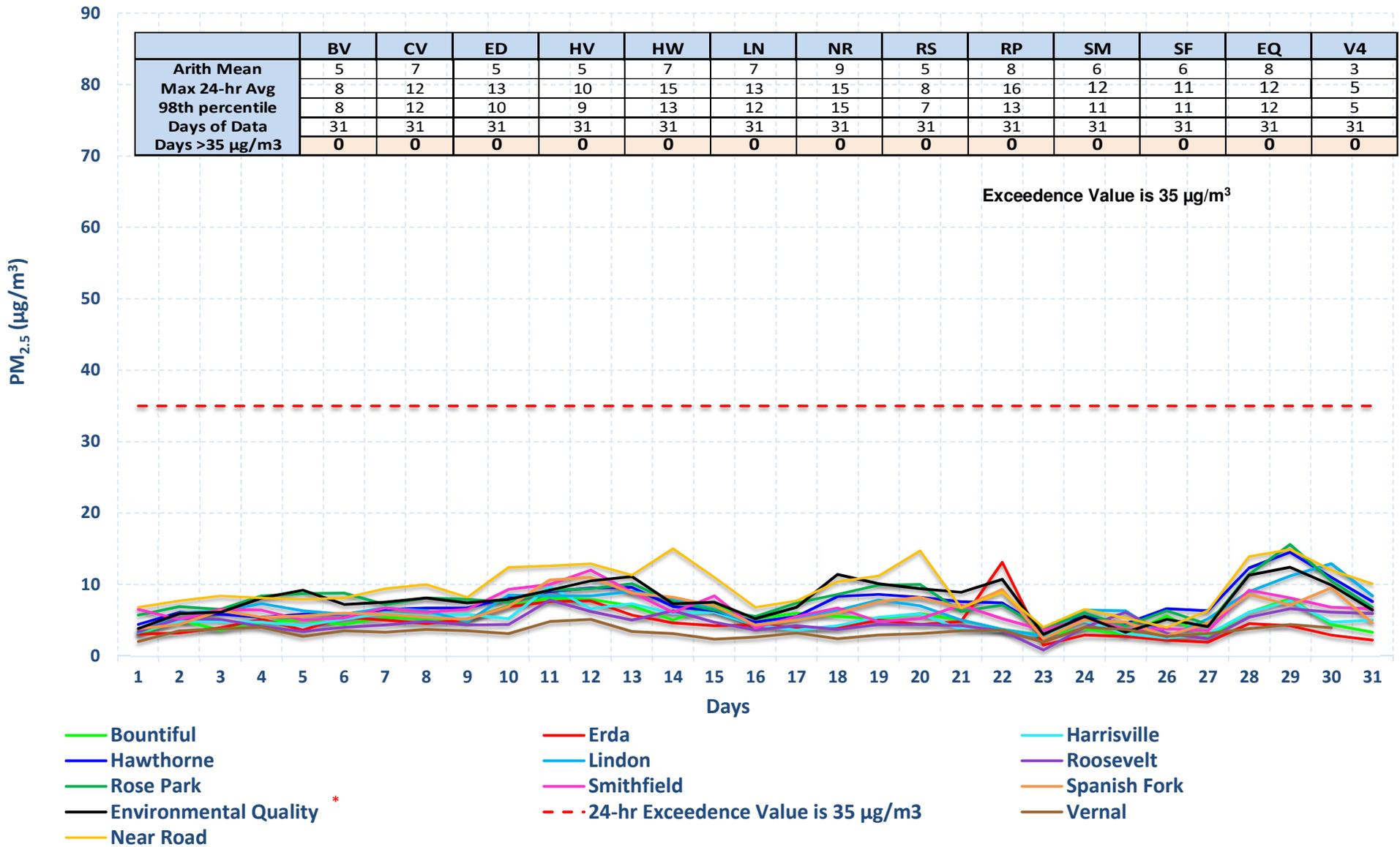
Exceedence Value is 35 µg/m³

- Bountiful
- Erda
- Harrisville
- Hawthorne
- Lindon
- Roosevelt
- Rose Park
- Smithfield
- Spanish Fork
- Environmental Quality *
- - - 24-hr Exceedence Value is 35 µg/m³
- Vernal
- Near Road

* Environmental Quality (EQ) previously named Technical Support Center (TSC)

Utah 24-Hr PM_{2.5} Data October 2022

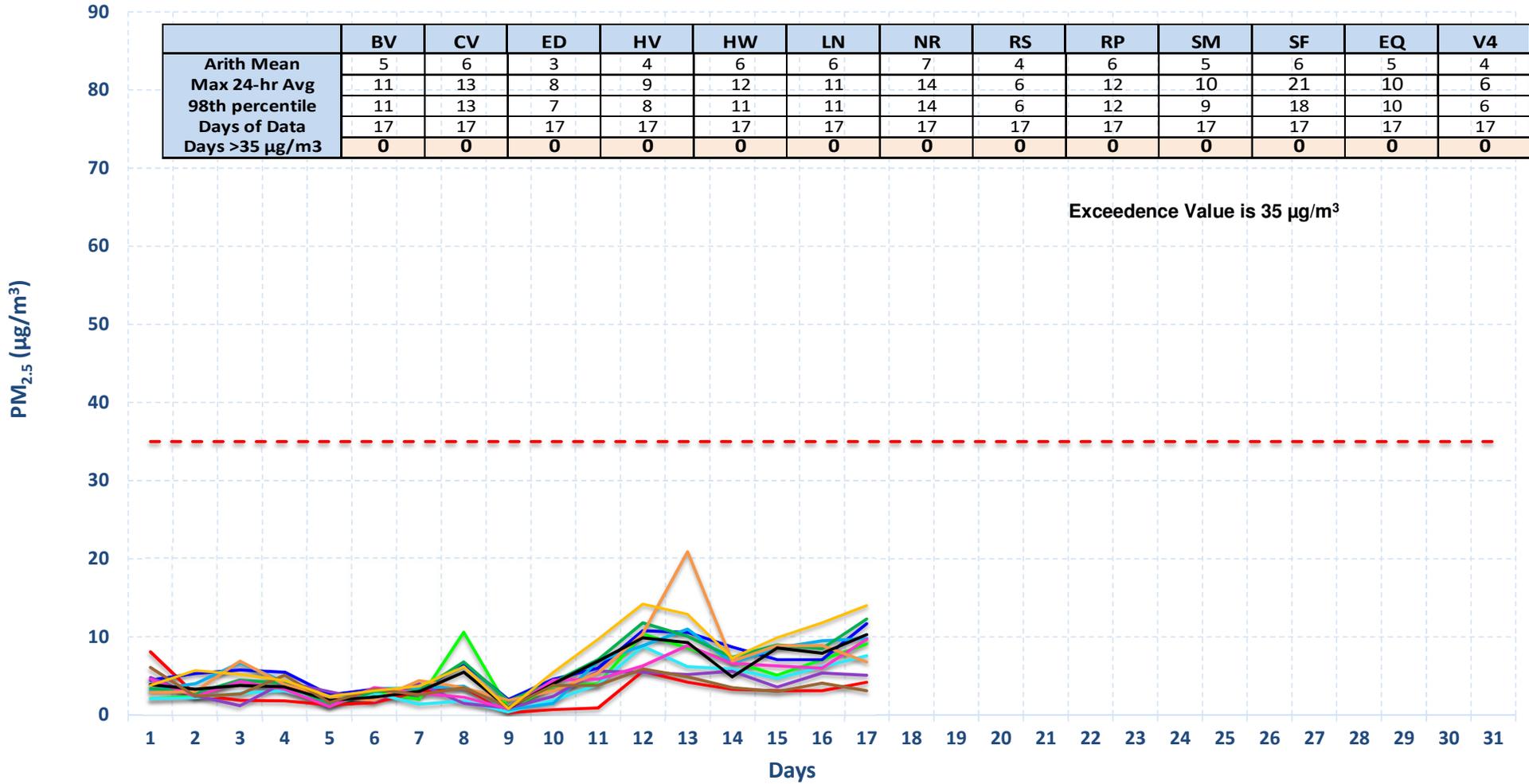
	BV	CV	ED	HV	HW	LN	NR	RS	RP	SM	SF	EQ	V4
Arith Mean	5	7	5	5	7	7	9	5	8	6	6	8	3
Max 24-hr Avg	8	12	13	10	15	13	15	8	16	12	11	12	5
98th percentile	8	12	10	9	13	12	15	7	13	11	11	12	5
Days of Data	31	31	31	31	31	31	31	31	31	31	31	31	31
Days >35 µg/m ³	0	0	0	0	0	0	0	0	0	0	0	0	0



* Environmental Quality (EQ) previously named Technical Support Center (TSC)

Utah 24-Hr PM_{2.5} Data November 2022

	BV	CV	ED	HV	HW	LN	NR	RS	RP	SM	SF	EQ	V4
Arith Mean	5	6	3	4	6	6	7	4	6	5	6	5	4
Max 24-hr Avg	11	13	8	9	12	11	14	6	12	10	21	10	6
98th percentile	11	13	7	8	11	11	14	6	12	9	18	10	6
Days of Data	17	17	17	17	17	17	17	17	17	17	17	17	17
Days >35 µg/m ³	0	0	0	0	0	0	0	0	0	0	0	0	0

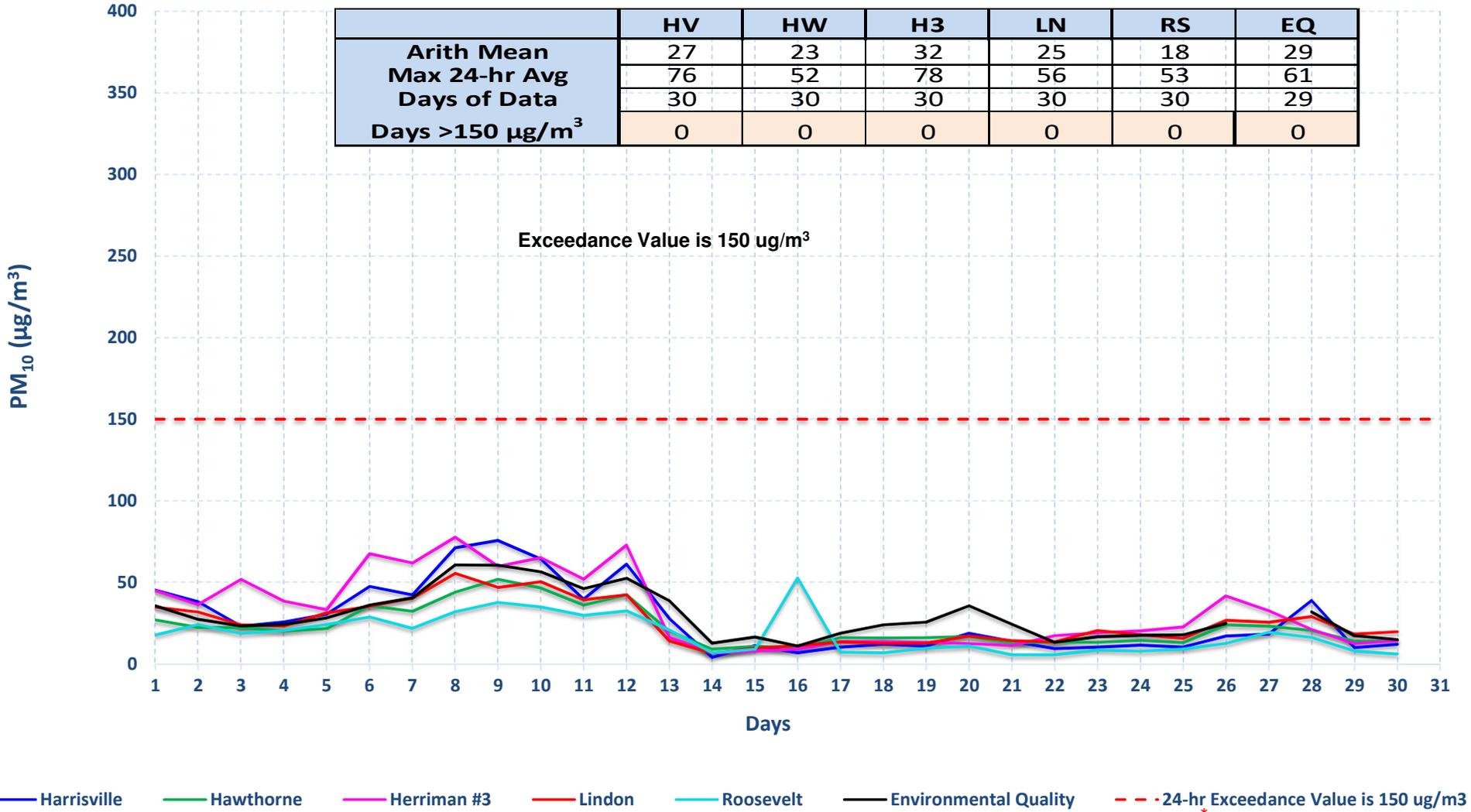


- Bountiful
- Erda
- Harrisville
- Hawthorne
- Lindon
- Roosevelt
- Rose Park
- Smithfield
- Spanish Fork
- Environmental Quality *
- - - 24-hr Exceedance Value is 35 µg/m³
- Vernal
- Near Road

* Environmental Quality (EQ) previously named Technical Support Center (TSC)

Utah 24-hr PM₁₀ Data September 2022

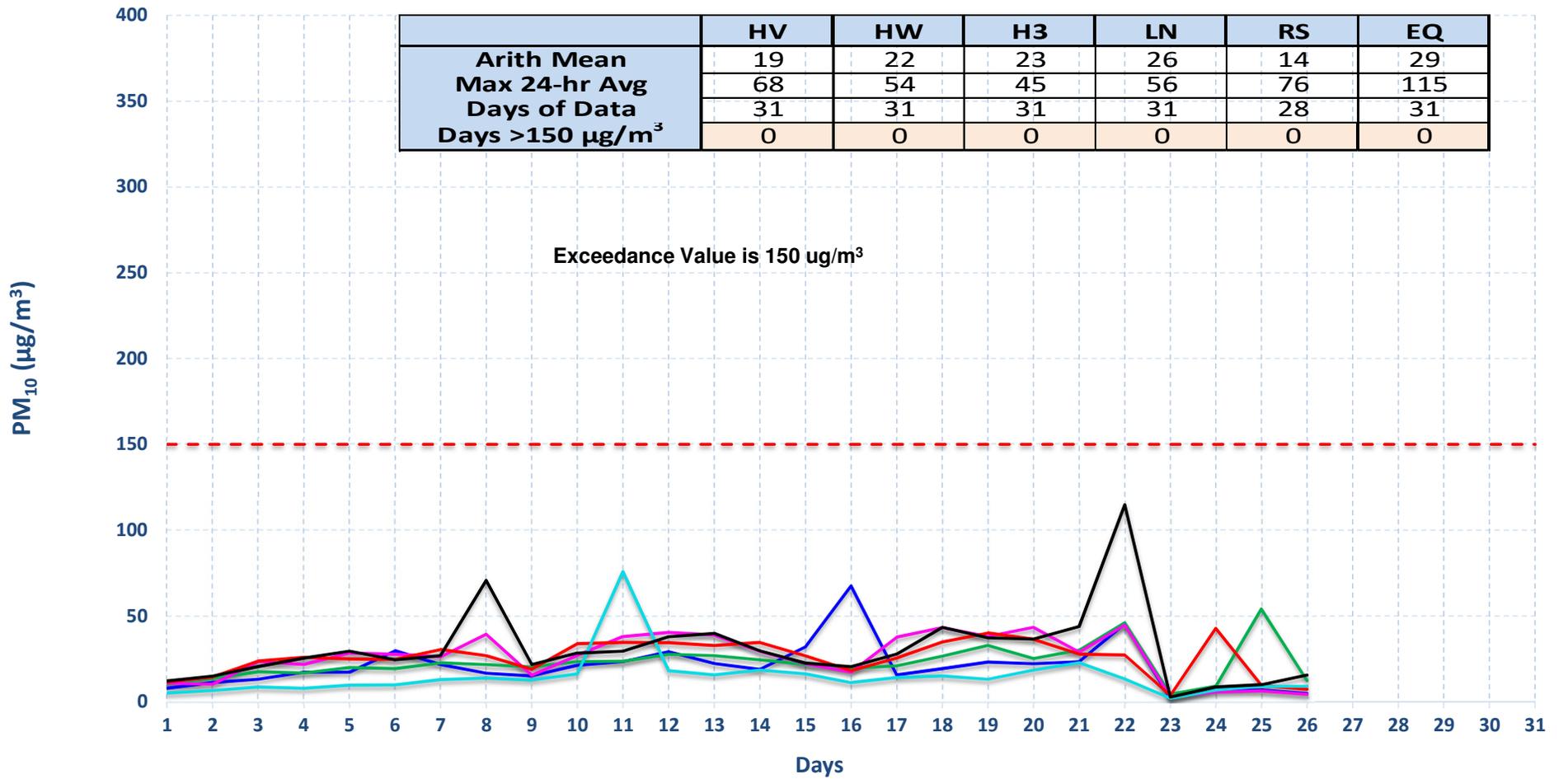
	HV	HW	H3	LN	RS	EQ
Arith Mean	27	23	32	25	18	29
Max 24-hr Avg	76	52	78	56	53	61
Days of Data	30	30	30	30	30	29
Days >150 µg/m³	0	0	0	0	0	0



* Environmental Quality (EQ) previously named Technical Support Center (TSC)

Utah 24-hr PM₁₀ Data October 2022

	HV	HW	H3	LN	RS	EQ
Arith Mean	19	22	23	26	14	29
Max 24-hr Avg	68	54	45	56	76	115
Days of Data	31	31	31	31	28	31
Days >150 µg/m³	0	0	0	0	0	0

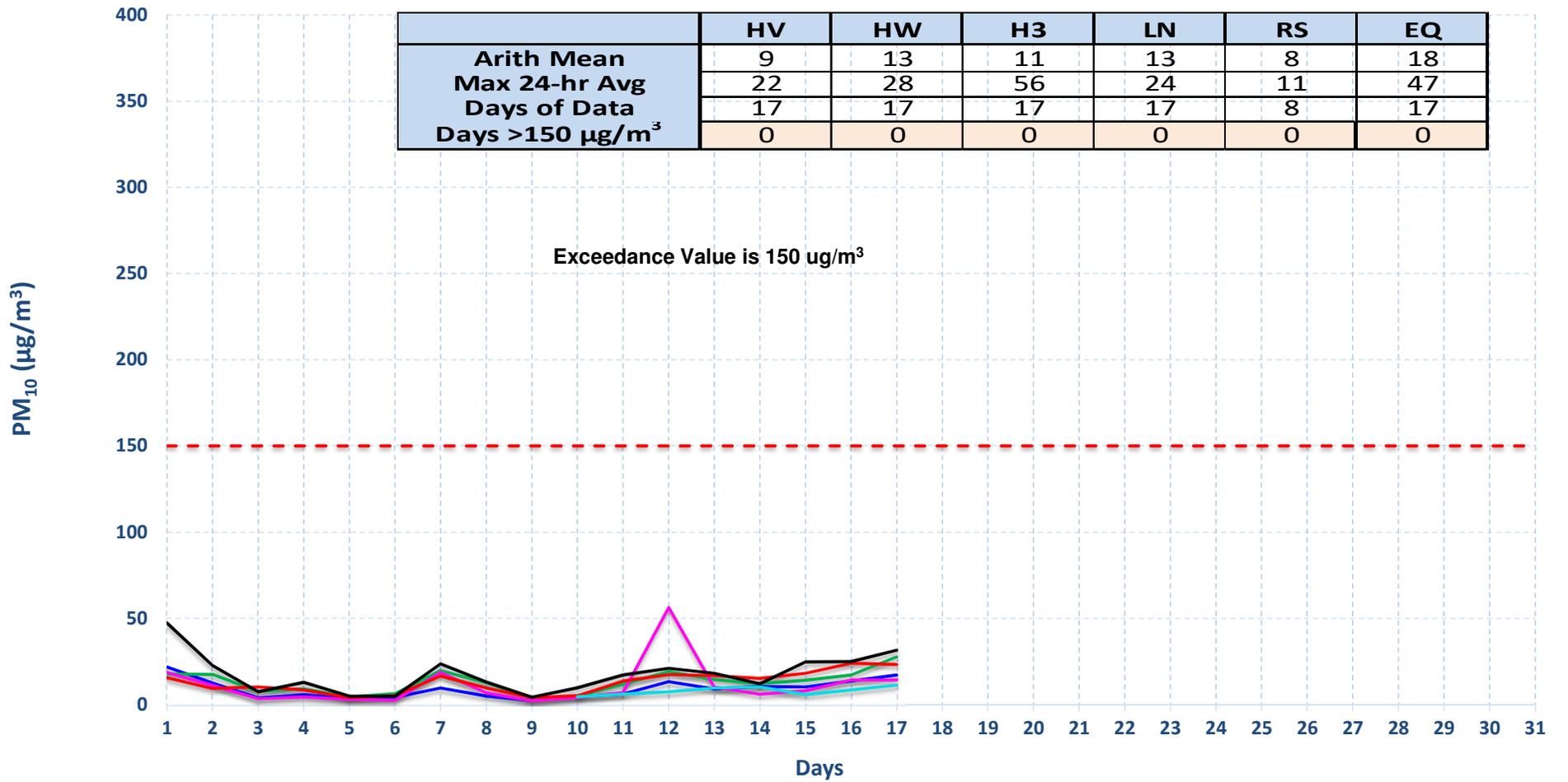


— Harrisville
 — Hawthorne
 — Herriman #3
 — Lindon
 — Roosevelt
 — Environmental Quality
 - - - 24-hr Exceedance Value is 150 ug/m³

* Environmental Quality (EQ) previously named Technical Support Center (TSC)

Utah 24-hr PM₁₀ Data November 2022

	HV	HW	H3	LN	RS	EQ
Arith Mean	9	13	11	13	8	18
Max 24-hr Avg	22	28	56	24	11	47
Days of Data	17	17	17	17	8	17
Days >150 µg/m ³	0	0	0	0	0	0

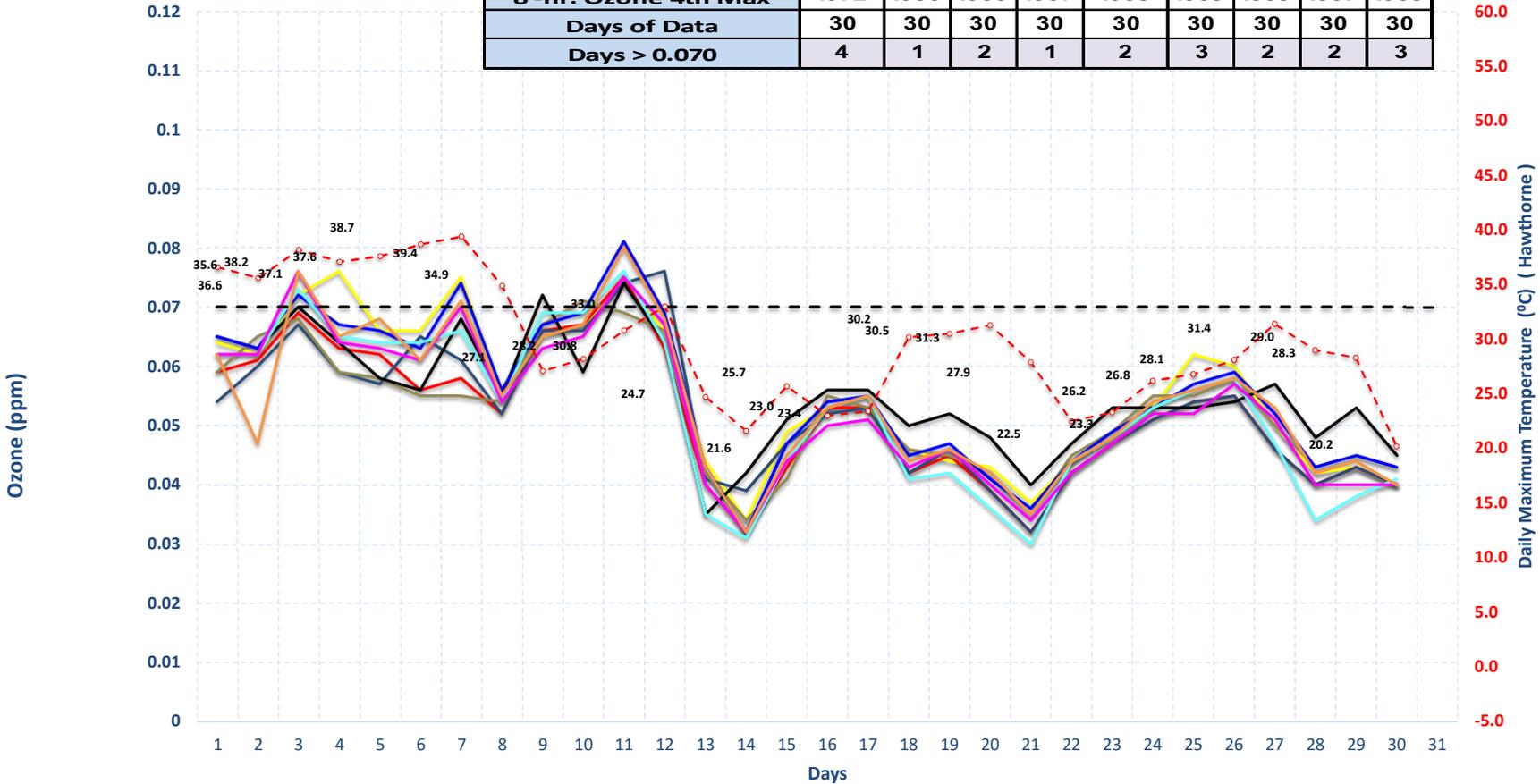


— Harrisville
 — Hawthorne
 — Herriman #3
 — Lindon
 — Roosevelt
 — Environmental Quality
 - - - 24-hr Exceedance Value is 150 ug/m³

* Environmental Quality (EQ) previously named Technical Support Center (TSC)

Highest 8-hr Ozone Concentration & Daily Maximum Temperature September 2022

	BV	CV	ED	H3	HV	HW	NR	RP	EQ
Arith Mean	.055	.052	.052	.053	.055	.055	.052	.053	.054
8-hr. Ozone 4th Max	.072	.066	.066	.067	.068	.069	.069	.067	.068
Days of Data	30	30	30	30	30	30	30	30	30
Days > 0.070	4	1	2	1	2	3	2	2	3

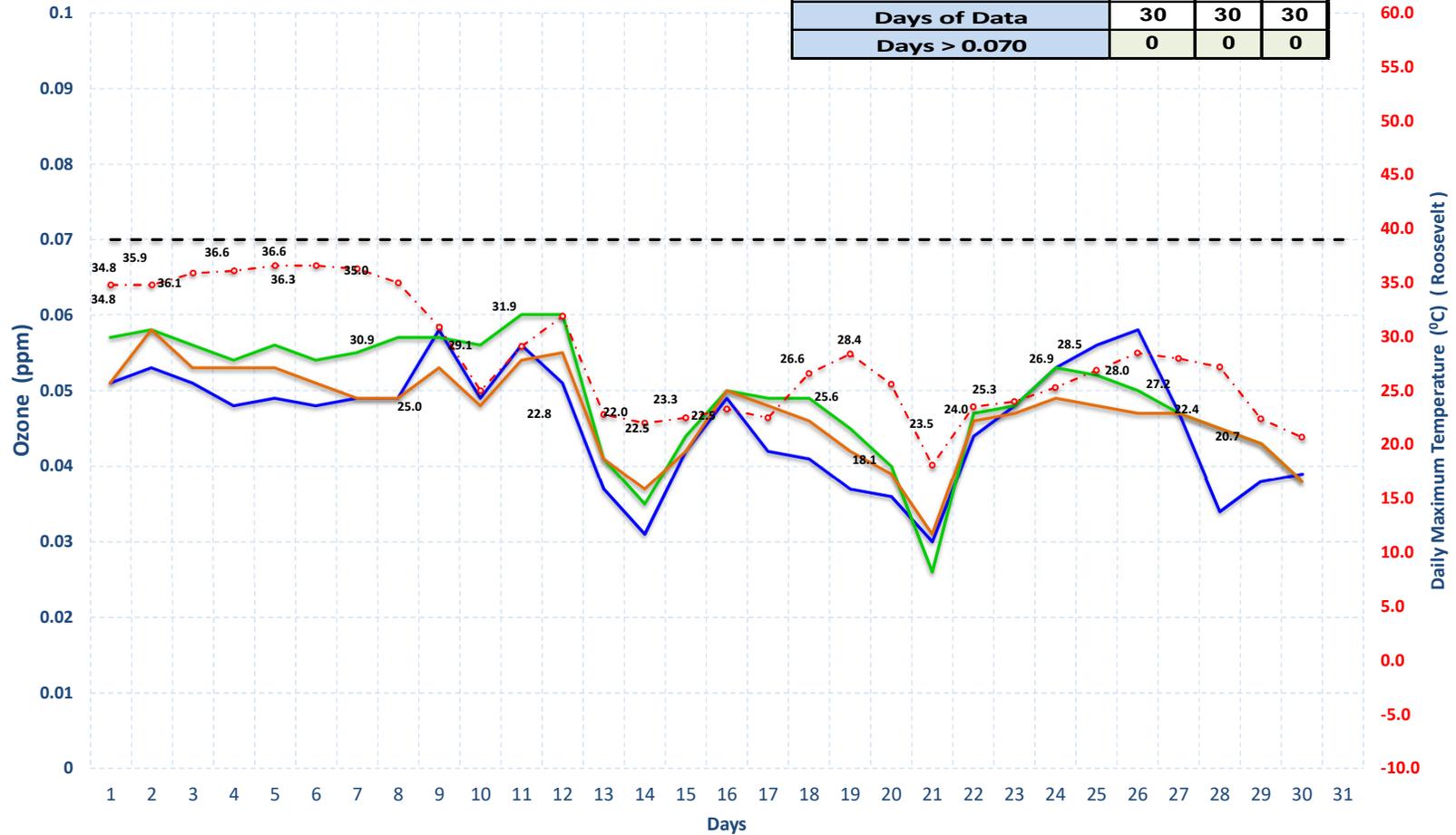


— Bountiful — Copperview — Erda — Herriman #3
— Harrisville — Hawthorne — Near Road — Rose Park
— Environmental Quality - - Exceed. - - o - - TM

* Environmental Quality (EQ) previously named Technical Support Center (TSC)
 ** Controlling Monitor

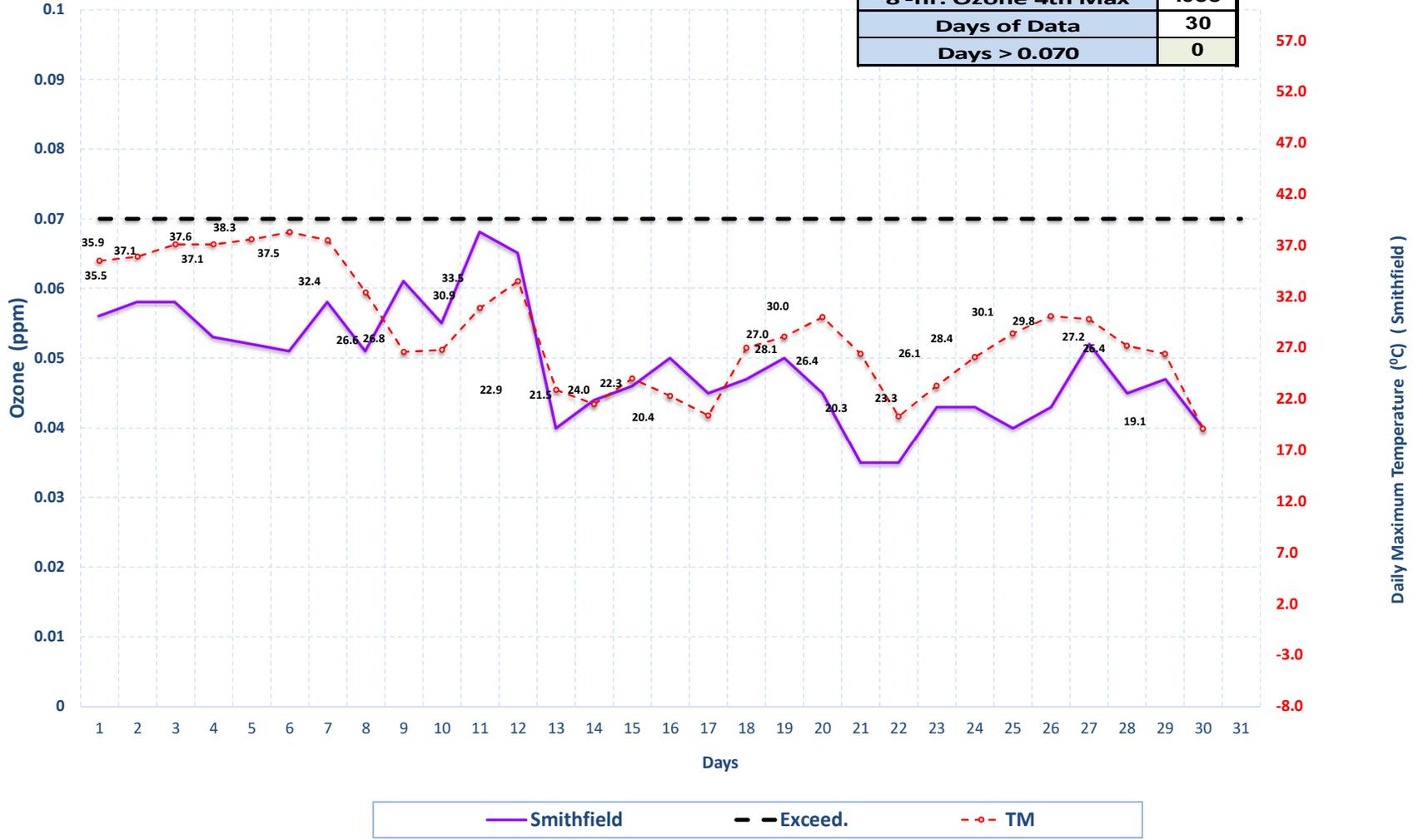
Highest 8-hr Ozone Concentration & Daily Maximum Temperature September 2022

	P2	RS	V4
Arith Mean	.046	.049	.047
8-hr. Ozone 4th Max	.056	.057	.053
Days of Data	30	30	30
Days > 0.070	0	0	0



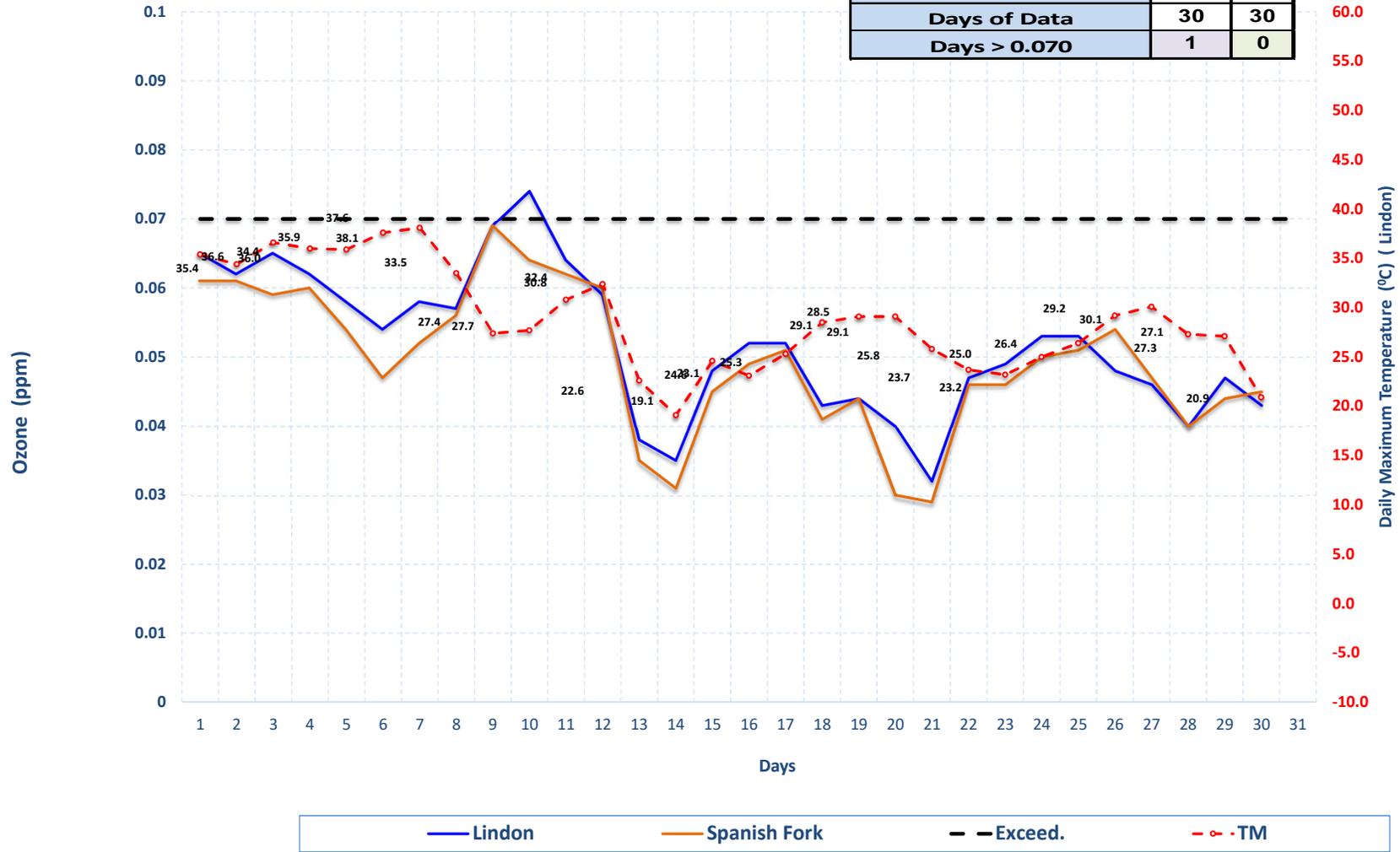
Highest 8-hr Ozone Concentration & Daily Maximum Temperature September 2022

	SM
Arith Mean	.049
8-hr. Ozone 4th Max	.058
Days of Data	30
Days > 0.070	0



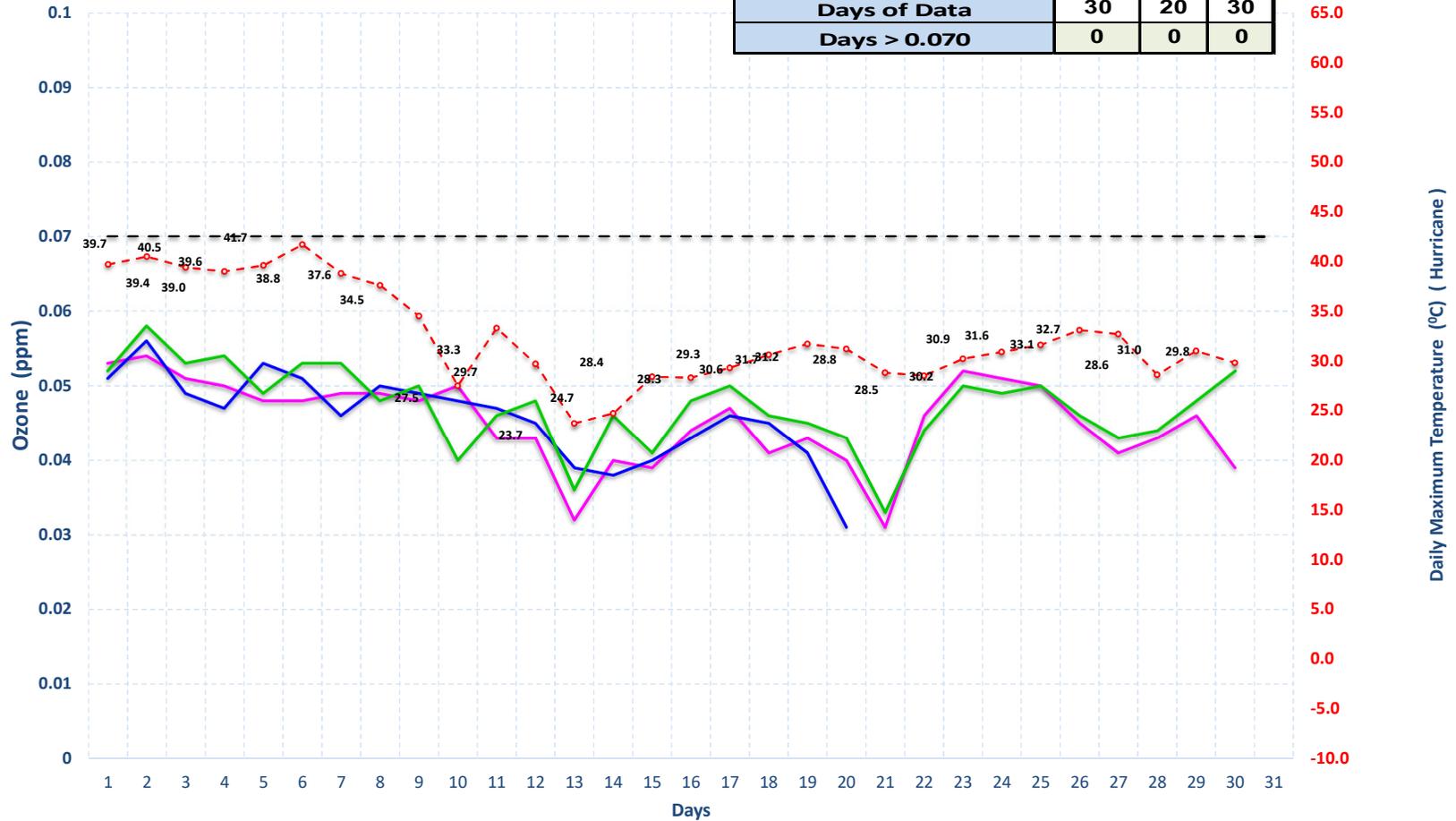
Highest 8-hr Ozone Concentration & Daily Maximum Temperature September 2022

	LN	SF
Arith Mean	.052	.049
8-hr. Ozone 4th Max	.065	.061
Days of Data	30	30
Days > 0.070	1	0



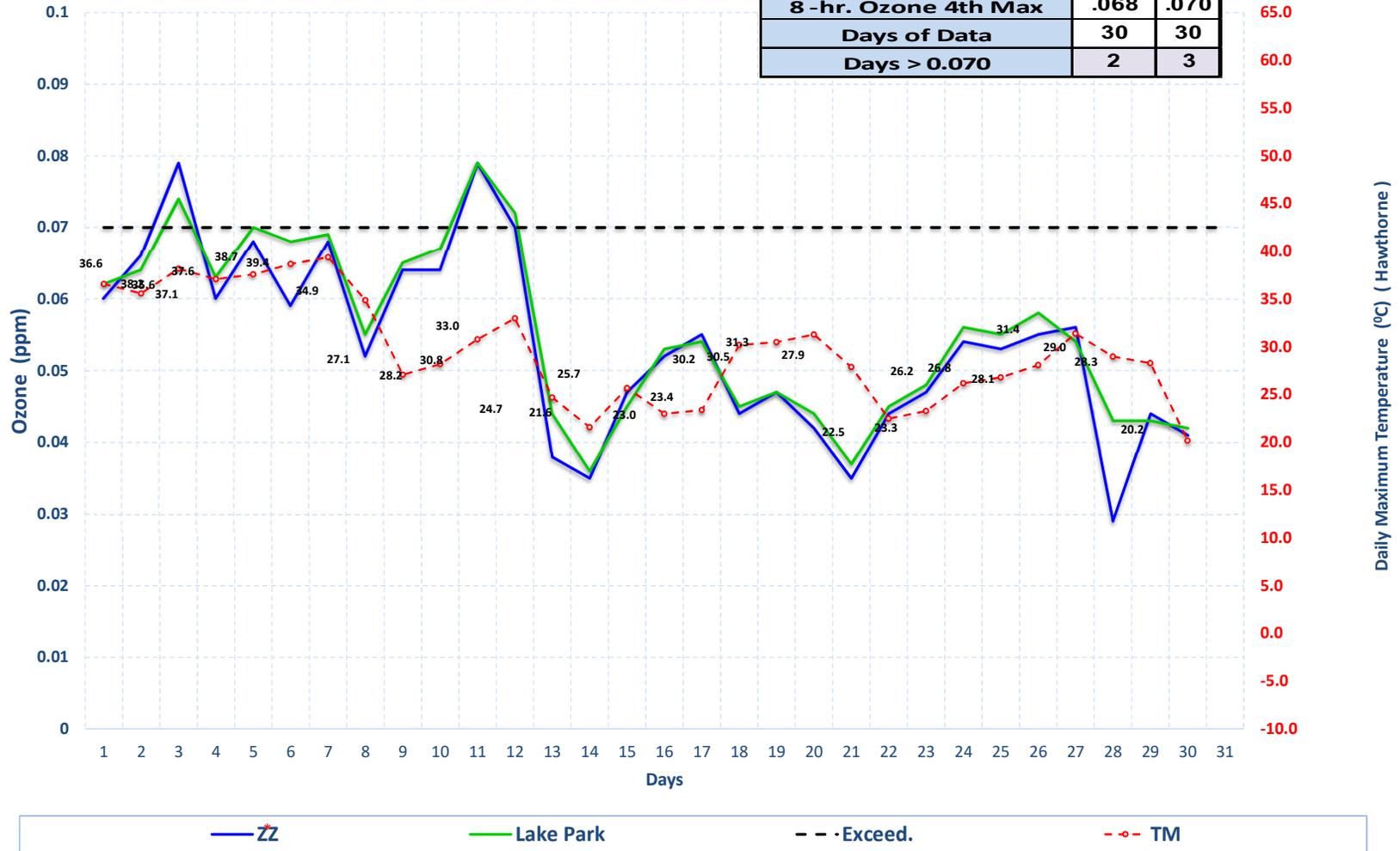
Highest 8-hr Ozone Concentration & Daily Maximum Temperature September 2022

	EN	ES	HC
Arith Mean	.045	.046	.047
8-hr. Ozone 4th Max	.051	.051	.053
Days of Data	30	20	30
Days > 0.070	0	0	0



Highest 8-hr Ozone Concentration & Daily Maximum Temperature September 2022 Stations Monitoring the Inland Port Development

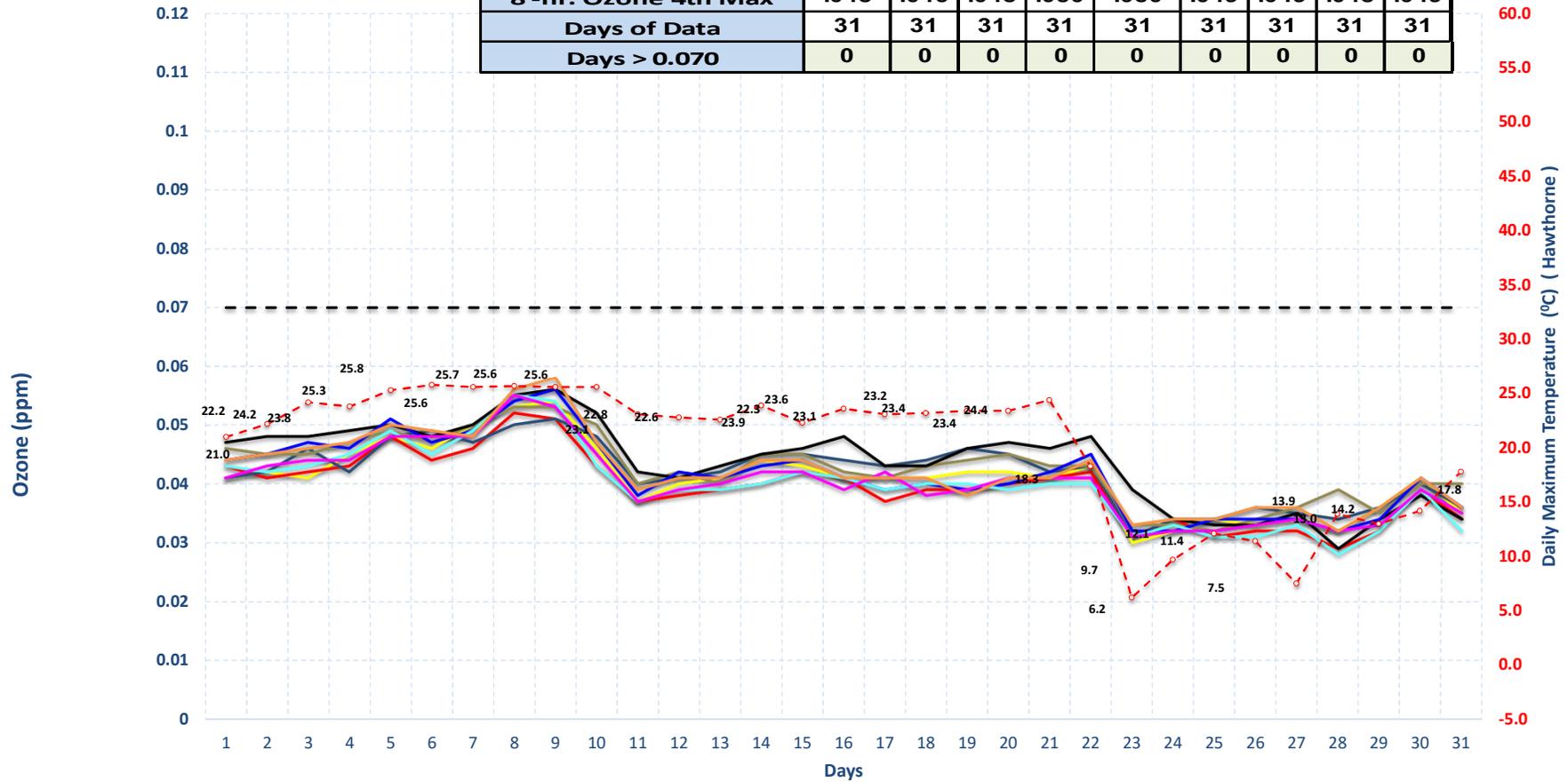
	ZZ	LP
Arith Mean	.054	.055
8-hr. Ozone 4th Max	.068	.070
Days of Data	30	30
Days > 0.070	2	3



* ZZ is located at the New Utah State Prison (1480 North 8000 West, SLC).
This site was previously named IP

Highest 8-hr Ozone Concentration & Daily Maximum Temperature October 2022

	BV	CV	ED	H3	HV	HW	NR	RP	EQ
Arith Mean	.041	.040	.042	.043	.044	.042	.040	.041	.042
8-hr. Ozone 4th Max	.048	.046	.048	.050	.050	.049	.049	.048	.049
Days of Data	31	31	31	31	31	31	31	31	31
Days > 0.070	0	0	0	0	0	0	0	0	0



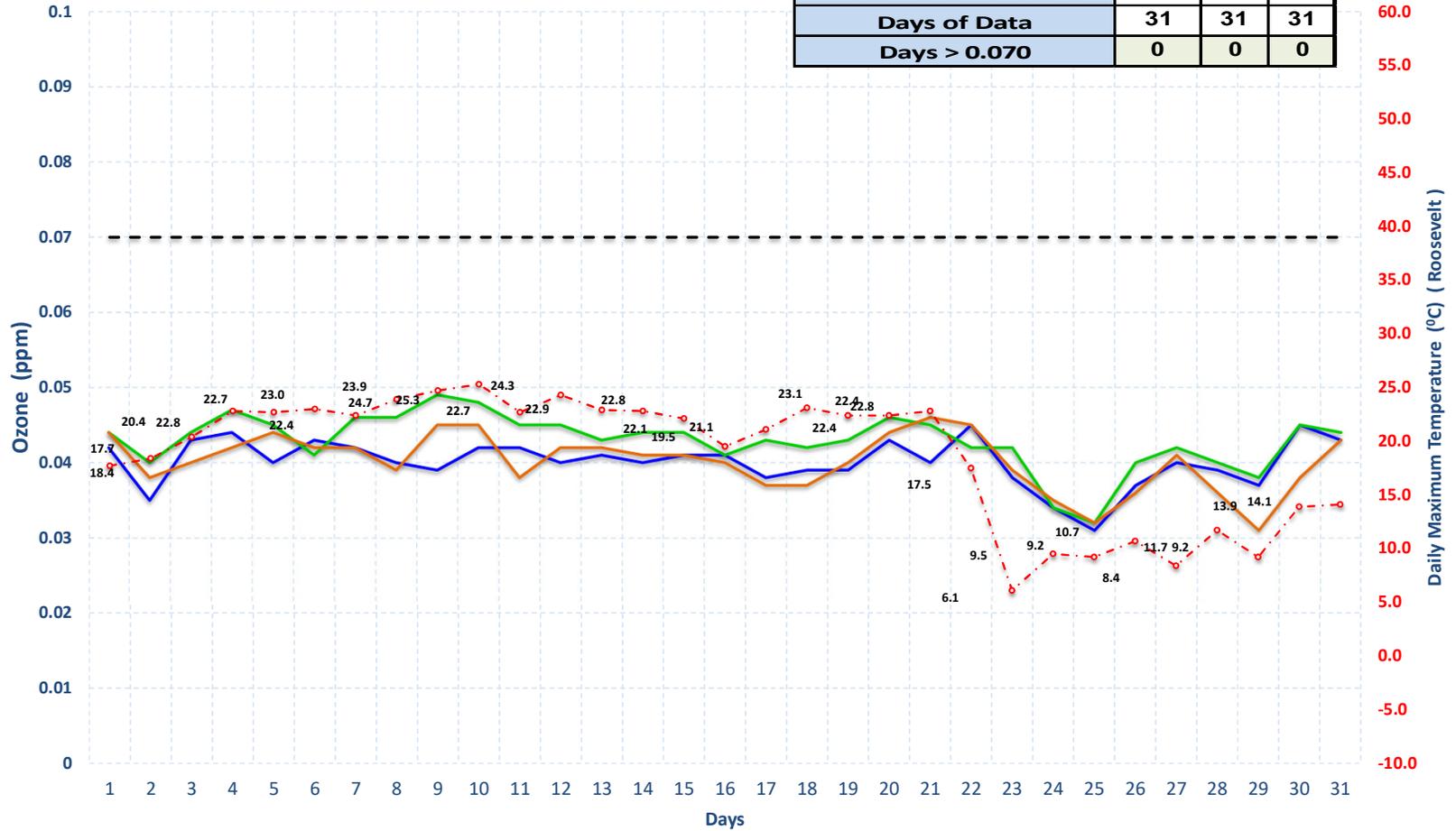
Bountiful	Copperview	Erda	Herriman #3
Harrisville	Hawthorne	Near Road	Rose Park
Environmental Quality	Exceed.	TM	

* Environmental Quality (EQ) previously named Technical Support Center (TSC)

** Controlling Monitor

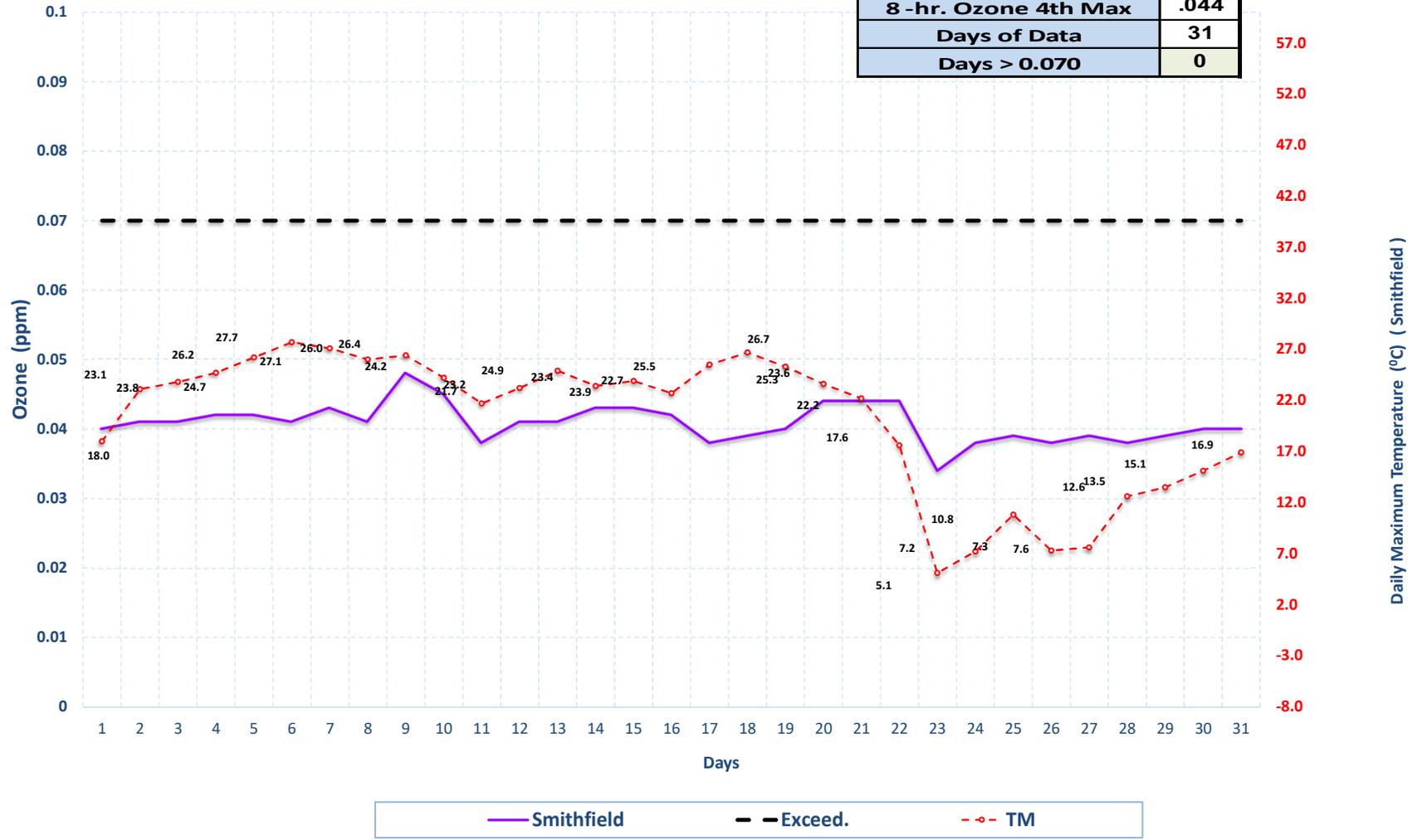
Highest 8-hr Ozone Concentration & Daily Maximum Temperature October 2022

	P2	RS	V4
Arith Mean	.040	.043	.040
8 -hr. Ozone 4th Max	.043	.046	.045
Days of Data	31	31	31
Days > 0.070	0	0	0



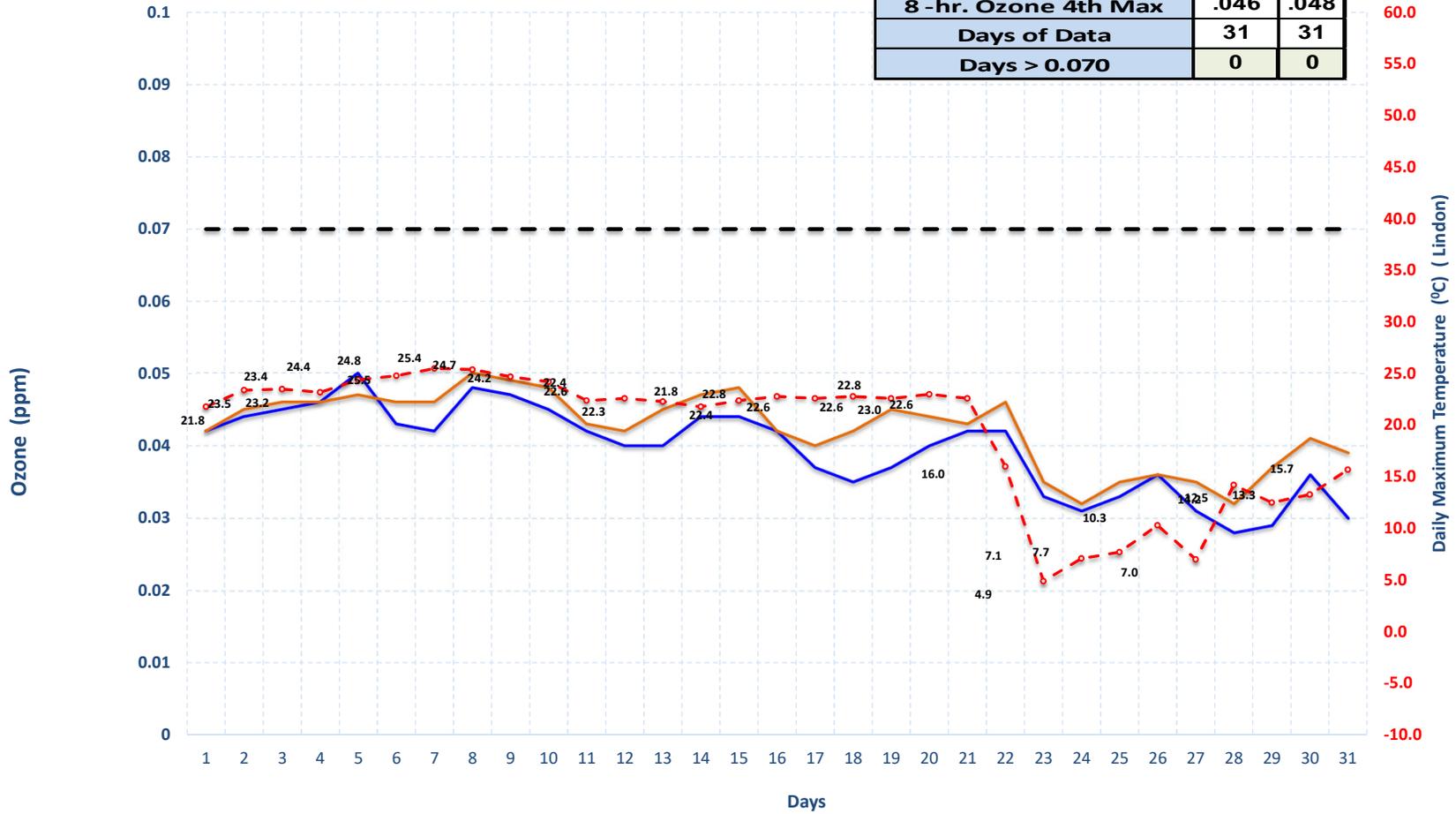
Highest 8-hr Ozone Concentration & Daily Maximum Temperature October 2022

	SM
Arith Mean	.041
8-hr. Ozone 4th Max	.044
Days of Data	31
Days > 0.070	0



Highest 8-hr Ozone Concentration & Daily Maximum Temperature October 2022

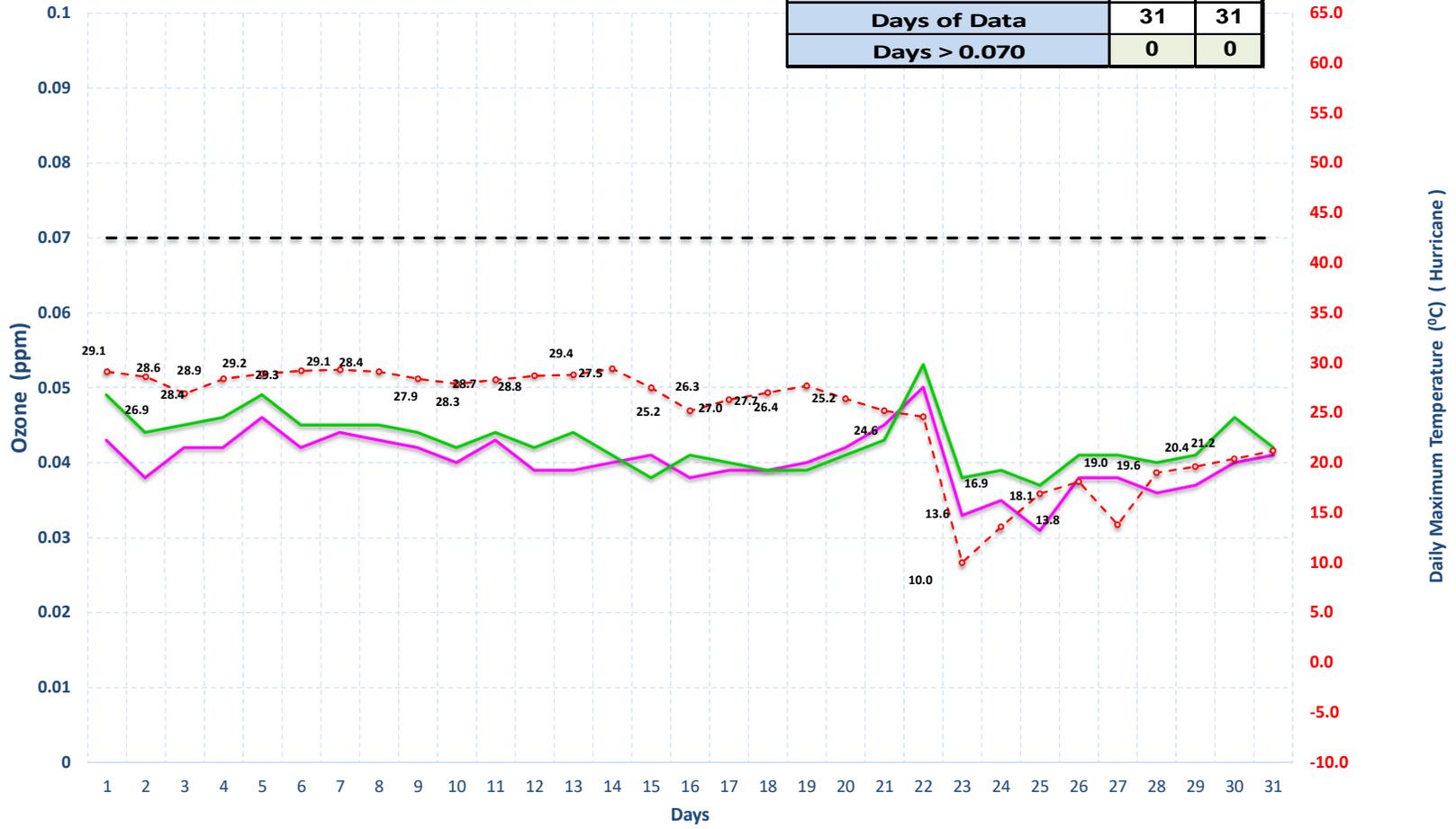
	LN	SF
Arith Mean	.040	.043
8-hr. Ozone 4th Max	.046	.048
Days of Data	31	31
Days > 0.070	0	0



— Lindon — Spanish Fork - - Exceed. - - o - - TM

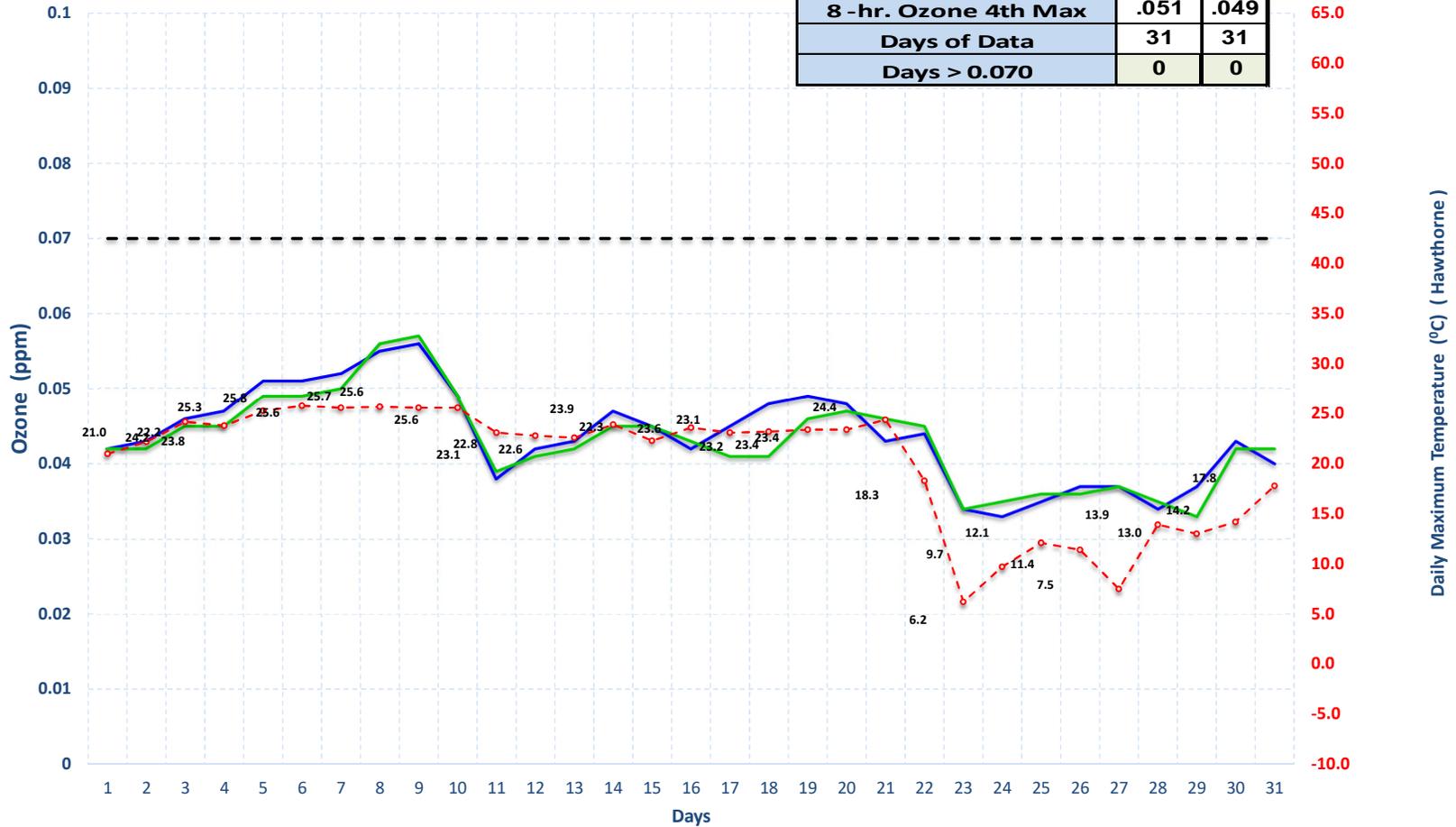
Highest 8-hr Ozone Concentration & Daily Maximum Temperature October 2022

	EN	HC
Arith Mean	.040	.043
8-hr. Ozone 4th Max	.044	.046
Days of Data	31	31
Days > 0.070	0	0



Highest 8-hr Ozone Concentration & Daily Maximum Temperature October 2022 Stations Monitoring the Inland Port Development

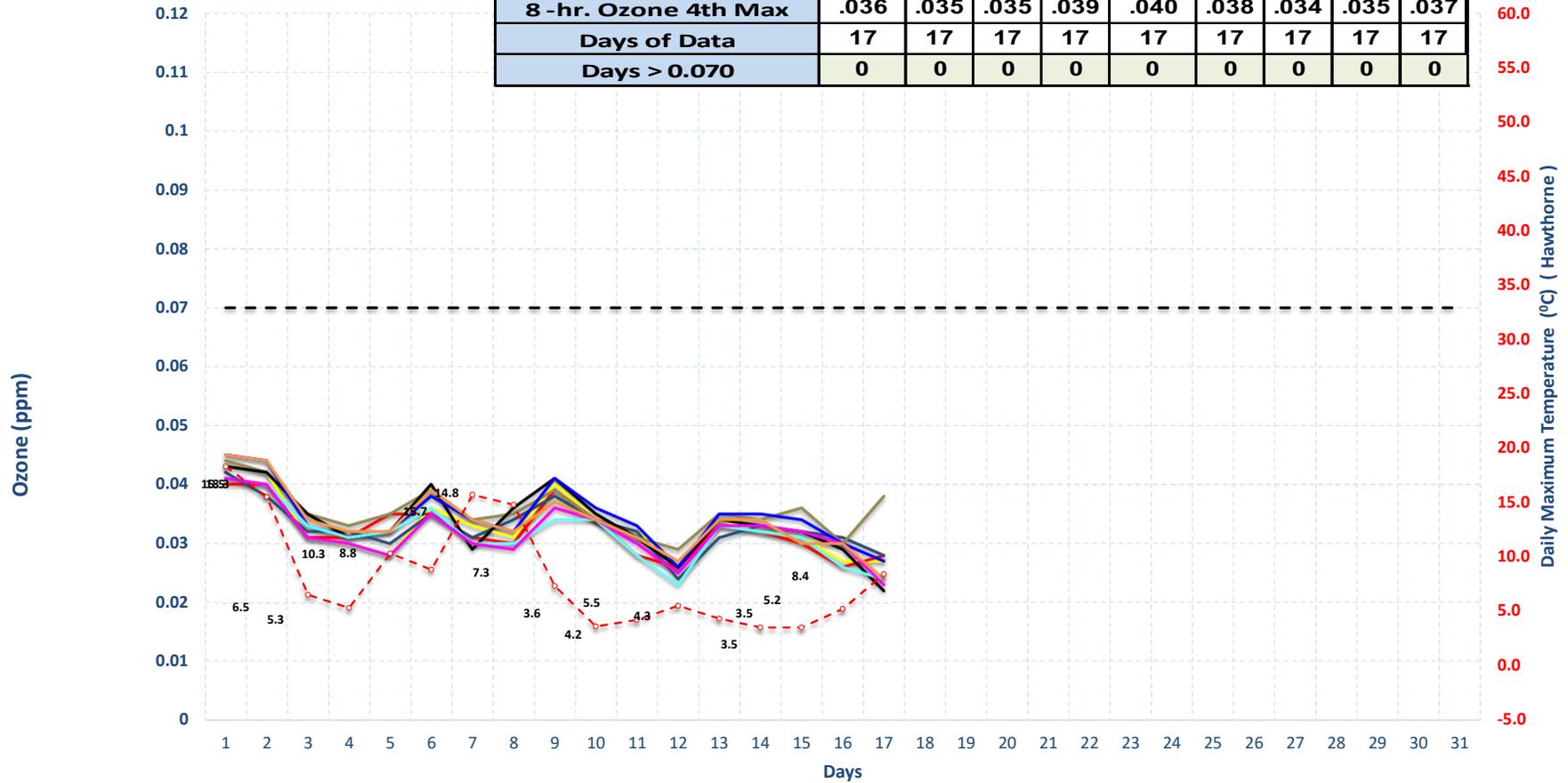
	ZZ	LP
Arith Mean	.044	.043
8 -hr. Ozone 4th Max	.051	.049
Days of Data	31	31
Days > 0.070	0	0



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This site was previously named IP

Highest 8-hr Ozone Concentration & Daily Maximum Temperature November 2022

	BV	CV	ED	H3	HV	HW	NR	RP	EQ
Arith Mean	.033	.032	.033	.035	.034	.034	.032	.032	.034
8-hr. Ozone 4th Max	.036	.035	.035	.039	.040	.038	.034	.035	.037
Days of Data	17	17	17	17	17	17	17	17	17
Days > 0.070	0	0	0	0	0	0	0	0	0



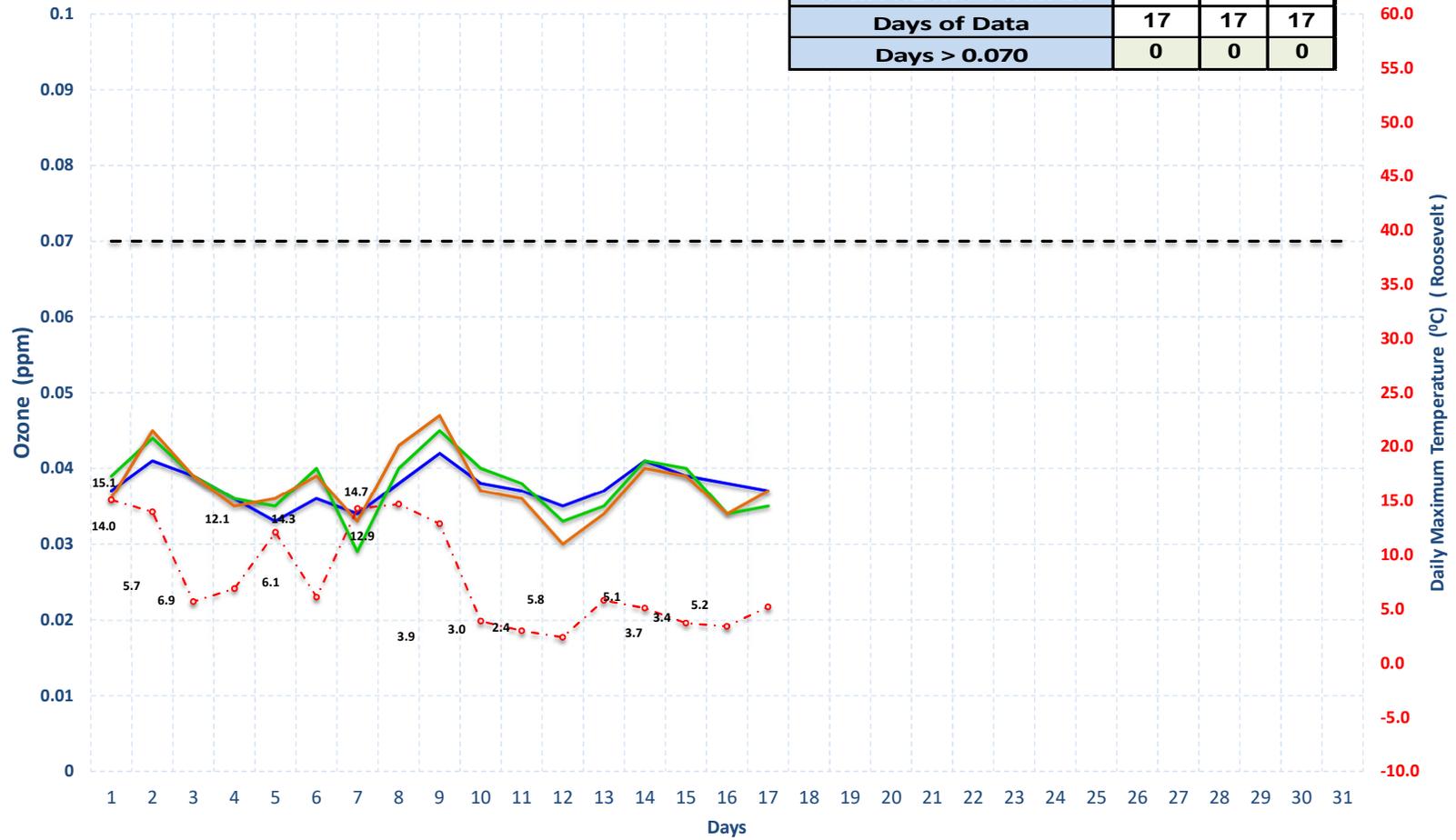
Bountiful	Copperview	Erda	Herriman #3
Harrisville	Hawthorne	Near Road	Rose Park
Environmental Quality	Exceed.	TM	

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** Controlling Monitor

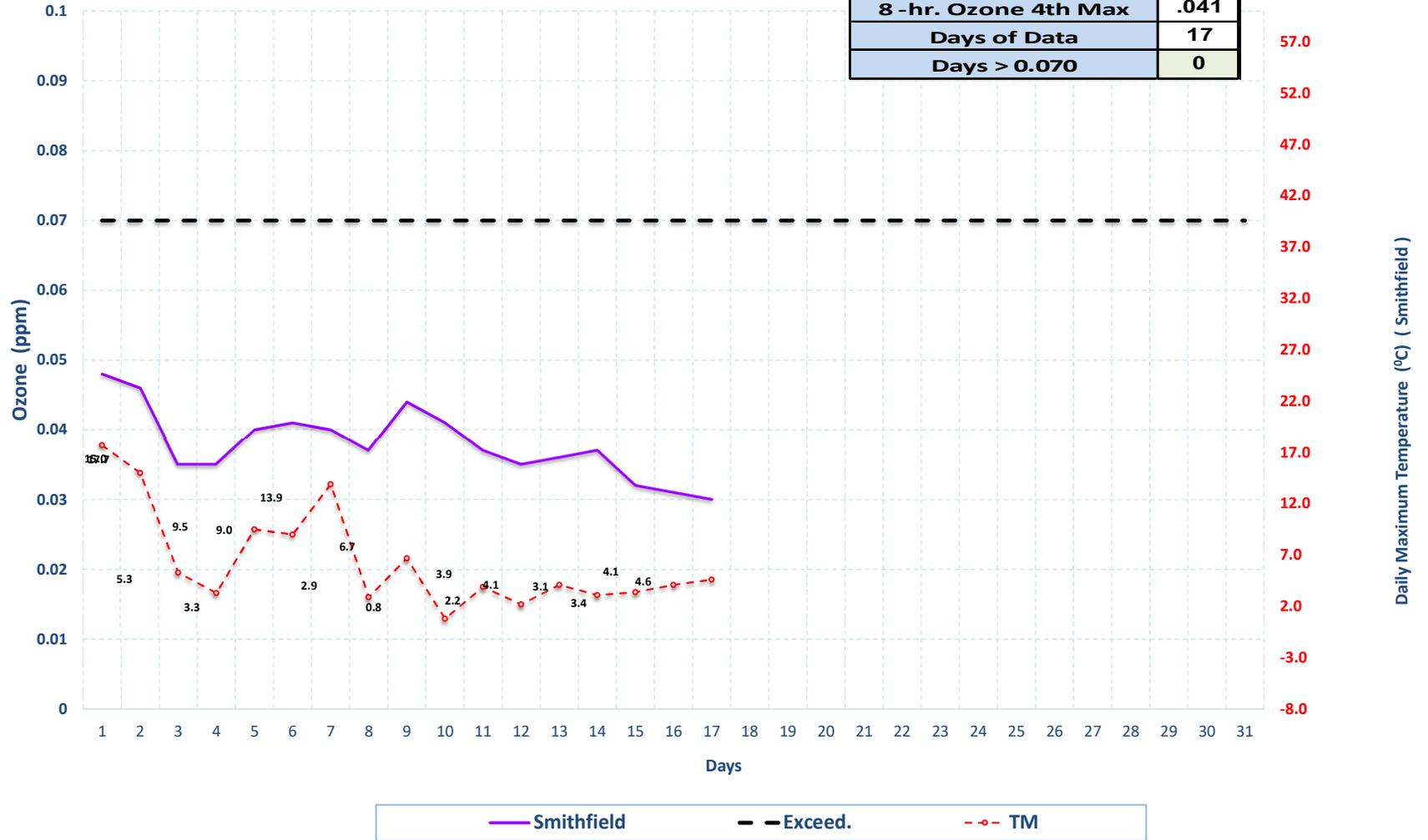
Highest 8-hr Ozone Concentration & Daily Maximum Temperature November 2022

	P2	RS	V4
Arith Mean	.038	.038	.038
8-hr. Ozone 4th Max	.039	.040	.040
Days of Data	17	17	17
Days > 0.070	0	0	0



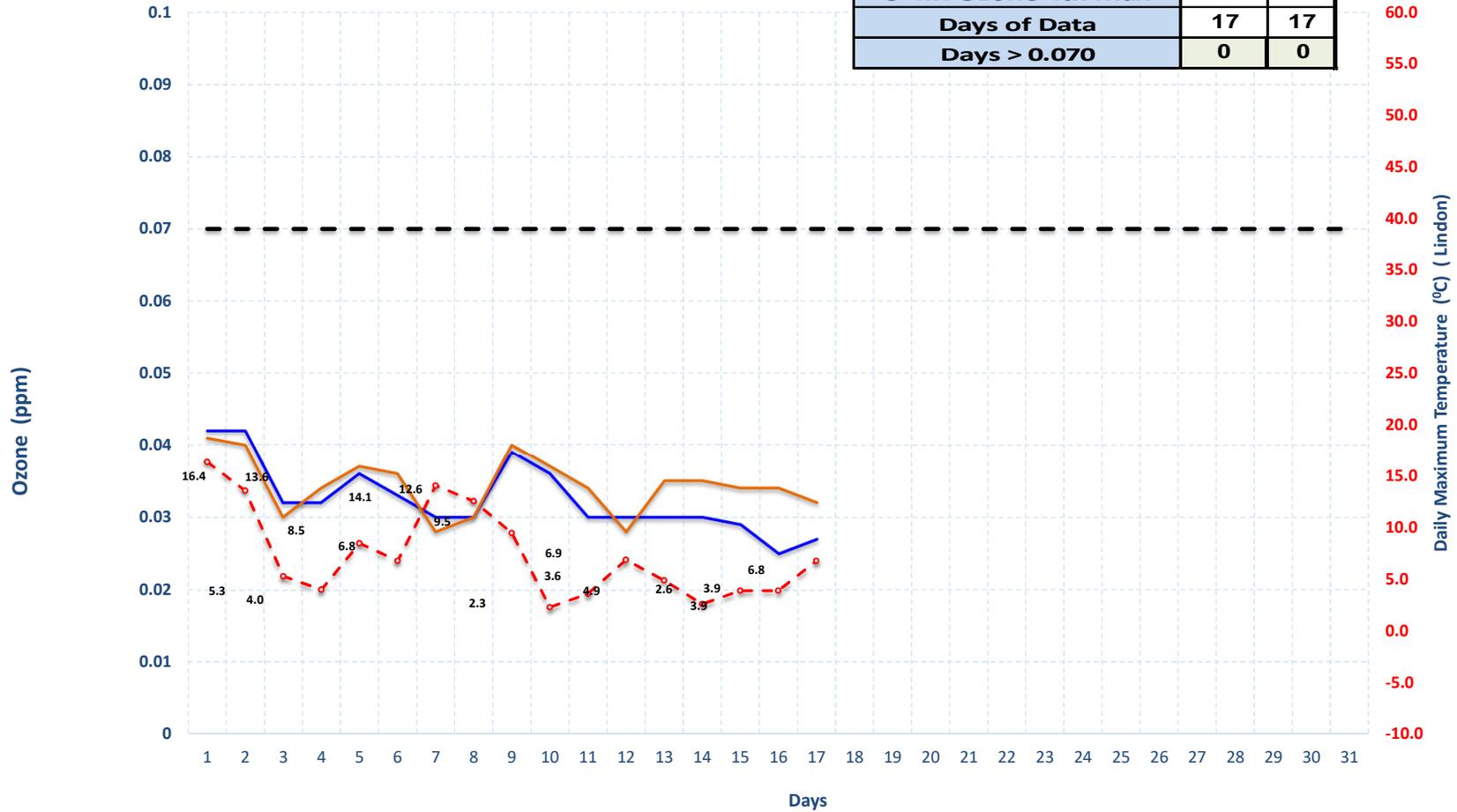
Highest 8-hr Ozone Concentration & Daily Maximum Temperature November 2022

	SM
Arith Mean	.038
8-hr. Ozone 4th Max	.041
Days of Data	17
Days > 0.070	0



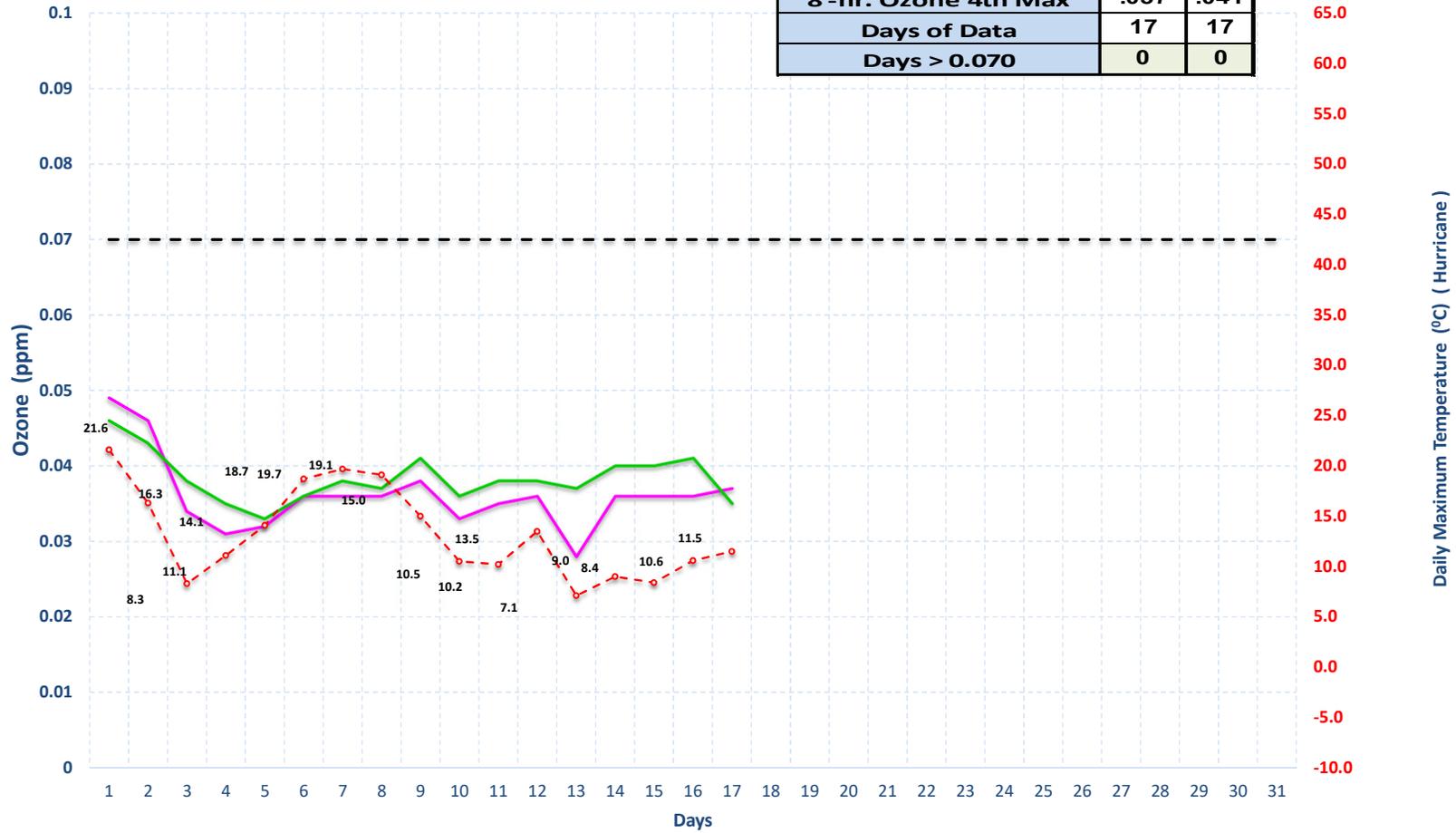
Highest 8-hr Ozone Concentration & Daily Maximum Temperature November 2022

	LN	SF
Arith Mean	.033	.034
8-hr. Ozone 4th Max	.036	.037
Days of Data	17	17
Days > 0.070	0	0



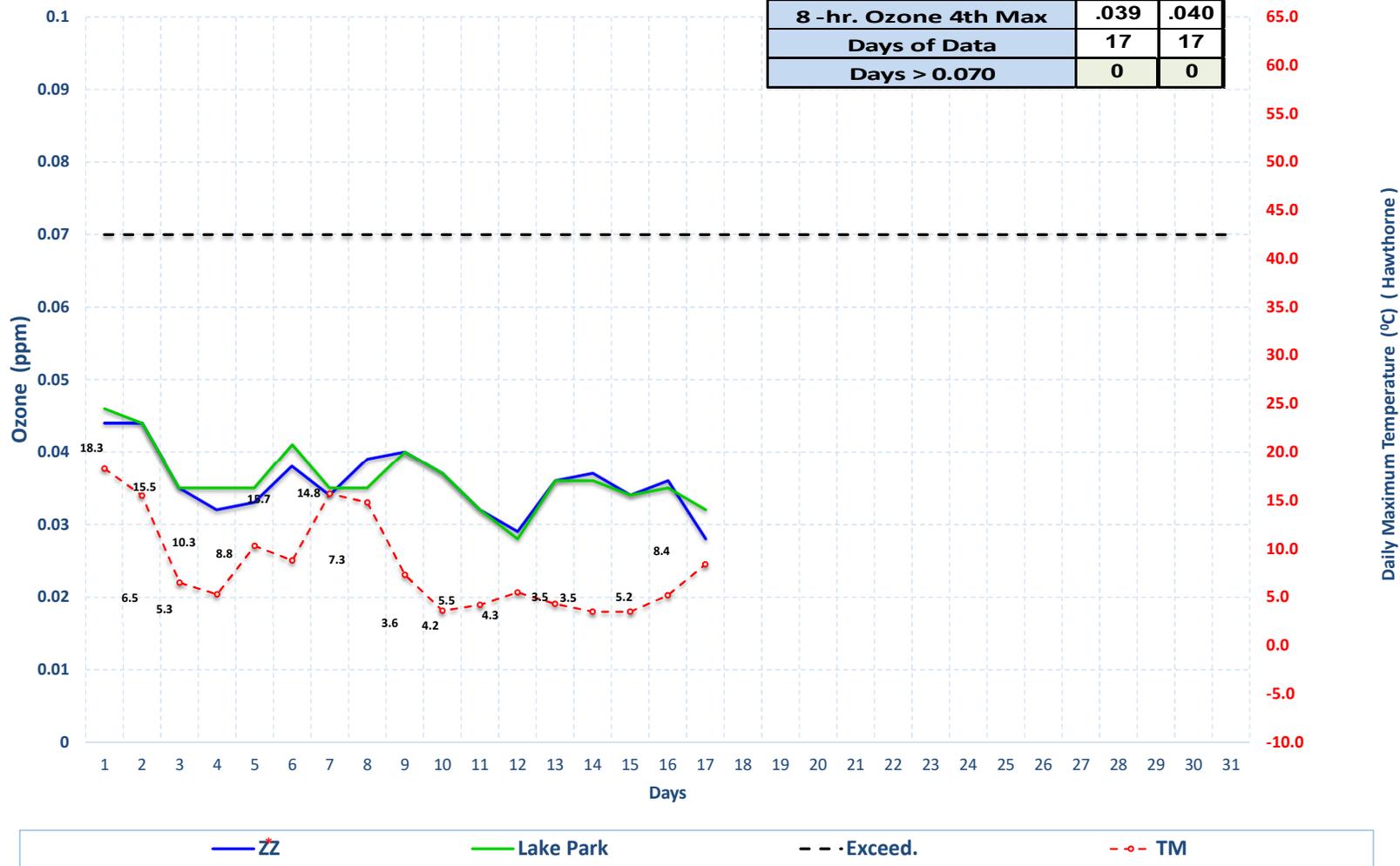
Highest 8-hr Ozone Concentration & Daily Maximum Temperature November 2022

	EN	HC
Arith Mean	.036	.038
8-hr. Ozone 4th Max	.037	.041
Days of Data	17	17
Days > 0.070	0	0



Highest 8-hr Ozone Concentration & Daily Maximum Temperature November 2022 Stations Monitoring the Inland Port Development

	ZZ	LP
Arith Mean	.036	.036
8-hr. Ozone 4th Max	.039	.040
Days of Data	17	17
Days > 0.070	0	0



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This site was previously named IP